

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959



January 24, 2014

Linda Lopez  
Town Clerk  
Town of Ross  
P.O. Box 320  
Ross, CA 94957-0320

RE: Ordinance #646, 647, 650, 651

Dear Ms. Lopez:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 18, 2013.

Our review finds the submittal to contain four ordinances modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

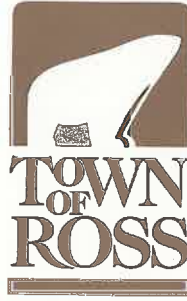
If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Enrique M. Rodriguez'.

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings



RECEIVED  
2013 DEC 18 P 3:44  
CALIFORNIA BUILDING  
STANDARDS COMMISSION

December 13, 2013

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833-2936

RE: Town of Ross Updated Building and Fire Code Ordinances

To Whom It May Concern:

Attached please find four Ordinances from the Town of Ross adopting the 2013 Building and Fire Codes.

Sincerely,

Linda Lopez  
Town Clerk

Attachments:

- 1) Ordinance No. 646
- 2) Ordinance No. 647
- 3) Urgency Ordinance No. 650
- 4) Urgency Ordinance No. 651

## **TOWN OF ROSS**

### **ORDINANCE NO. 646**

#### **AN ORDINANCE OF THE TOWN OF ROSS AMENDING CHAPTER 14.04 OF THE ROSS MUNICIPAL CODE ADOPTING THE 2013 CALIFORNIA FIRE CODE, CERTAIN PORTIONS OF THE 2012 INTERNATIONAL FIRE CODE, AND APPENDIX A OF THE 2012 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS; AND ESTABLISHING A FIRE PREVENTION BUREAU AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES**

The Town Council of the Town of Ross does ordain as follows:

#### **SECTION 1. Findings.**

The Town Council finds that in order to best protect the health, safety and welfare of the citizens of the Town of Ross, it is appropriate to adopt the 2013 California Fire Code (which consists of certain portions of the 2012 edition of the International Fire Code, as amended by the State of California), the 2012 edition of the International Fire Code to the extent the same is not inconsistent with the 2013 California Fire Code, and Appendix A of the 2012 edition of the International Wildland-Urban Interface Code, along with certain changes and modifications to these Codes, which the Town Council is authorized to make by California Health and Safety Code Sections 17958.7 and 18941.5, and reasonably necessary due to local climatic, geological or topographical conditions.

Therefore, the Town Council hereby makes the factual findings set forth in "Exhibit A" attached hereto and incorporated herein by reference, and finds that the amendments made in this ordinance to the 2013 California Fire Code are reasonably necessary because of the local climatic, geological or topographical conditions stated in Exhibit A.

The Town Council further finds that adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under California Code of Regulations, Title 14, Section 15061 (b)(3).

#### **SECTION 2. Municipal Code Amended:**

Chapter 14.04 of the Town of Ross Municipal Code is hereby deleted in its entirety and replaced by the following:

**"SECTION 14.04.010 ADOPTION OF 2013 CALIFORNIA FIRE CODE, INTERNATIONAL FIRE CODE AND APPENDIX A OF THE 2012 INTERNATIONAL WILDLAND URBAN INTERFACE CODE**

The Town Council of Ross does hereby adopt, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the following, which shall be collectively known as the "Town Fire Code":

1. The 2013 California Fire Code, which consists of certain portions of the 2012 edition of the International Fire Code as amended by the California Building Standards Commission, including:
  - a. Division II of Chapter 1 ADMINISTRATION, except Sections 103.2 and 108,
  - b. Appendix Chapter 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY,
  - c. Appendix B FIRE FLOW REQUIREMENTS FOR BUILDINGS,
  - d. Appendix C FIRE HYDRANT LOCATIONS AND DISTRIBUTION,
  - e. Appendix E HAZARD CATEGORIES,
  - f. Appendix F HAZARD RANKING,
  - g. Appendix G CRYOGENIC FLUIDS WEIGHT AND VOLUME EQUIVALENTS, and
  - h. Appendix H HAZARDOUS MATERIALS MANAGEMENT PLANS AND HAZARDOUS MATERIALS INVENTORY STATEMENTS;
2. The 2012 edition of the International Fire Code published by the International Code Council, Inc. to the extent the same is not inconsistent with the 2013 California Fire Code;
3. Appendix A of the 2012 edition of the International Wildland-Urban Interface Code.

Each and all of the regulations, provisions, penalties, conditions, and terms of said Town Fire Code are hereby referred to, adopted, and made a part hereof as if fully set out in this Ordinance, subject only to the amendments and deletions herein. Not less than one (1) copy of the Codes and Standards hereby adopted is filed in the office of the Fire Marshal of the Ross Valley Fire Department and from the date on which this Ordinance shall take effect, and the provisions thereof shall be controlling within the limits of the Town of Ross.

**SECTION 14.04.020. ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION BUREAU**

The Town Fire Code shall be enforced by the Fire Prevention Bureau of the Ross Valley Fire Department and shall be operated under the supervision of the Fire Chief of the Ross Valley Fire Department.

#### **SECTION 14.04.030. DEFINITIONS**

Wherever they appear in the California and International Fire Codes, unless otherwise provided, the following words shall have the meanings ascribed to them in this section:

- (a) Whenever the words "Fire Code" are used they shall mean the Town Fire Code adopted in Section 14.04.010 of this Ordinance.
- (b) Wherever the word "jurisdiction" is used, it shall be held to mean the Town of Ross.
- (c) Wherever the term "counsel" is used, it shall be held to mean the attorney for the Town of Ross.
- (d) Wherever the words "Fire Code Official" are used, they shall be held to mean the Fire Chief or Fire Marshal of the Ross Valley Fire Department.

#### **SECTION 14.04.040. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II AND CLASS III LIQUIDS IN OUTSIDE ABOVEGROUND TANKS IS PROHIBITED**

The geographic limits referred to in Section 5704.2.9.6.1 of the 2013 California Fire Code in which storage of Class I, Class II and Class III liquids in outside aboveground tanks is prohibited are amended as follows: Town limits. EXCEPTION: Property owned by the Town when approved by the Fire Chief.

#### **SECTION 14.04.041. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II AND CLASS III LIQUIDS IN ABOVEGROUND TANKS IS PROHIBITED**

The geographic limits referred to in Section 5706.2.4.4. of the 2013 California Fire Code in which storage of Class I, Class II and Class III liquids in aboveground tanks is prohibited are amended as follows: Town limits.

#### **SECTION 14.04.050. ESTABLISHMENTS OF GEOGRAPHIC LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED**

The geographic limits referred to in Section 6104.2 of the 2013 California Fire Code, in which storage of liquefied petroleum gas is restricted, are amended as follows: Town limits. EXCEPTION: Property owned by the Town when approved by the Fire Chief.

#### **SECTION 14.04.060. ESTABLISHMENTS OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED**

The geographic limits, in which storage of explosives and blasting agents is prohibited, are as follows: Town limits.

**SECTION 14.04.070. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED**

The geographic limits, in which the storage of compressed natural gas is prohibited, are hereby established as follows: Town limits.

**SECTION 14.04.080. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF STATIONARY TANKS OF FLAMMABLE CRYOGENIC FLUIDS IS TO BE PROHIBITED**

The geographic limits in which the storage of flammable cryogenic fluids in stationary containers are prohibited, are hereby established as follows: Town limits.

**SECTION 14.04.090. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF HAZARDOUS MATERIALS IS TO BE PROHIBITED OR LIMITED**

The geographic limits, in which the storage of hazardous materials is prohibited or limited, are hereby established as follows: Town limits.

**SECTION 14.04.100. AMENDMENTS MADE TO THE 2013 CALIFORNIA FIRE CODE, 2012 INTERNATIONAL FIRE CODE AND 2012 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE**

The 2013 California Fire Code, the adopted portions of the 2012 International Fire Code, as applicable, are amended and changed in the following respects:

Section 102.5 is hereby amended to read as follows:

**102.5 Application of residential code.** Where structures are designed and constructed in accordance with the California Residential Code, the provisions of this code shall apply as follows:

1. Construction and designed provisions: Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Provisions of this code pertaining to the interior of the structure shall apply when specifically required by this code including, but not limited to, Section 903.2. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall also apply.
2. Administrative, operational, and maintenance provisions: all such provisions of this code shall apply.

Section 102.7.3 is hereby added to Chapter 1 as follows:

**Section 102.7.3 Nationally Recognized Listed Products.** Any installation of products and equipment due to permits required by this Code shall be Labeled and Listed, as defined in Section 202.

Section 104.1.1 is hereby added to Chapter 1 as follows:

**Section 104.1.1 Supplemental Rules, Regulations and Standards.** The Fire Code Official is authorized to make and enforce rules and supplemental regulations and to develop Fire Protection Standards to carry out the application and intent of this code.

Section 104.12 is hereby added to Chapter 1 as follows:

**Section 104.12. Damages and expense recovery.** The expense of securing any emergency that is within the responsibility for enforcement of the Fire Chief as given in Section 104 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person and shall be collectible by the Fire Chief for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation, and clean up.

Section 104.13 is hereby added to Chapter 1 as follows:

**Section 104.13. Fire prevention resource sharing.** Other enforcement agencies shall have authority to render necessary assistance in plan review, inspection, code interpretation, enforcement and other fire prevention services when requested to do so.

Section 105.6.47 of Chapter 1 is hereby amended by adding the following additional operational permits:

4. **Aircraft refueling vehicles.** An operational permit is required to operate aircraft refueling vehicles. See Chapter 20.
5. **Automobile wrecking yards.** An operational permit is required to operate an automobile wrecking yard.

6. **Cellulose nitrate storage.** An operational permit is required to store or handle more than 25 pounds of cellulose nitrate plastic (pyroxylin) for the manufacturing or assembly of articles or parts of articles containing cellulose nitrate plastics (pyroxylin).

7. **Fireworks.** An operational permit is required to store and use fireworks for public display.

8. **Fire Protection Plan.** An operational permit is required to implement a fire protection plan.

9. **Radioactive material.** An operational permit is required to store or handle at any installation more than 1 micro curie (37,000 Becquerel) of radioactive material not contained in a sealed sources or more that 1 millicurie (37,000,000 Becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which specific license from the Nuclear Regulatory Commission is required.

Section 105.7.17 is hereby added to Chapter 1 as follows:

Section 105.7.17 **Vegetation Management Plan.** A construction permit is required to implement a vegetation management plan.

Sections 109.4 and 109.4.1 of Chapter 1 are hereby amended to read as follows:

**109.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**109.4.1 Abatement of violation.** In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

Section 111.4 of Chapter 1 is hereby amended to read as follows:

**111.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$500.00 dollars or more than \$1,500.00 dollars.



Section 202 [C] of Chapter 2 is hereby amended by adding the definition of 'Coverings' as follows:

**Coverings** shall mean materials including, but not limited to, gypsum board, paneling, floor boards, lathe and plaster, wood paneling, brick and mortar, or other materials attached to rough framing of the building elements. 'Coverings' do not include carpet, linoleum, tile, wall paper, or other decorative finishes.

Section 202 [S] of Chapter 2 is hereby amended by adding the definition of 'second unit', 'spark arrestor' and 'substantial remodel' as follows:

**Second Unit** shall mean a completely separate housekeeping unit with kitchen, sleeping and bathroom facilities which is a part of, an extension to, or a separate structure on a site developed with a single-family residence, in excess of the maximum density designated by the zoning district in which the property is situated or as prescribed thereby.

**Spark Arrestor** shall mean a chimney device constructed in a skillful-like manner. The net free area of a spark arrestor shall not be less than four times the net free area of the outlet of the chimney. The spark arrestor screen shall have heat and corrosion resistance equivalent to 12-gauge wire, 19-gauge galvanized wire or 24-gauge stainless steel. Opening shall not permit the passage of spheres having a diameter larger than 1/2 inch and shall not block the passage of spheres having a diameter of less than 3/8 inch.

**Substantial Remodel** shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent of the existing floor area of the structure within any 36 month period. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for the purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.

Section 202 [T] of Chapter 2 is hereby amended by adding the definition of 'Temporary':

**Temporary** shall mean any use for a period of less than 90 days.

Section 302.1 is amended by adding the definition of 'Public Storage Facility' as follows:

**Public Storage Facility** shall mean any business that sells, leases or rents space to the public that is enclosed, whether it is a building, storage container or similar configuration.

Section 319 is hereby added to Chapter 3 as follows:

**Section 319 Public Storage Facilities**

**Section 319.1 General.** Public Storage Facilities shall comply with the provisions of this section.

**Section 319.2. Location on Property and Fire Resistance of Exterior.** All public storage facilities shall meet the minimum requirements for setback from property lines or fire resistive construction as set forth in Table 602 of the Building Code for Group S, Division 1 occupancies.

**Section 319.3. Fire apparatus access.** All public storage facilities shall have fire apparatus access roads provided in accordance with Section 503.

**Section 319.4. Storage of Flammable and Combustible Liquids and Hazardous Materials.** The storage of hazardous materials or flammable or combustible liquids in public storage facilities is prohibited. Such facilities shall post legible and durable sign(s) to indicate same in a manner and location(s) as specified by the Fire Code Official. This section shall apply to new and existing public storage facilities.

Exception: Only those quantities of flammable and combustible liquids necessary for maintenance of the facility may be stored by the facility management per Chapter 57 of this code.

Sections 320 is hereby added to Chapter 3 as follows:

**Section 320 Fireworks**

**Section 320.1 General.** The manufacture, storage, sale, possession, handling or use of all fireworks is prohibited except as permitted by the Fire Code Official for approved public display.

**Section 320.2 Seizure.** The Fire Chief or Fire Code Official or their authorized agents shall seize, remove or cause to be removed at the expense of the owner or person(s) in possession all stocks of fireworks offered or exposed for sale, stored or held in violation of this code.

Section 401.1.1 is hereby added to Chapter 4 as follows:

**Section 401.1.1 Hazardous Occupancies.** In occupancies of a hazardous nature, where access for fire apparatus is unduly difficult, or where special life and fire safety hazards exist as determined by standards of the Ross Valley Fire Department, that facility or business management shall be required to develop and implement an Emergency Response Plan, provide for an onsite Emergency Response Team, Emergency Liaison

Officer, staff training and fire drills in accordance with Sections 405 and 406 and standards developed by the Ross Valley Fire Department.

Section 402.1 of Chapter 4 is hereby amended by adding the definition of 'Pre-plans' as follows:

**Pre-plans** shall mean detailed plans of target hazard buildings. These pre-plans include information on the building's location, occupancy, hazards, fire department connections and hydrants, building layout, and other pertinent data that would assist the fire department in case of an emergency.

Section 408.1.1 is hereby added to Chapter 4 as follows:

**Section 408.1.1 Pre-plans:** When required by the fire code official, pre-plans shall be developed for target hazard buildings according to the written standards developed by the authority having jurisdiction.

Section 408.8.4 is hereby added to Chapter 4 as follows:

**Section 408.8.4 Emergency Preparedness for Hotels, Lodging and Congregate Houses.** Hotels, lodging and congregate houses shall provide guests with immediate access to a telephone to report emergencies. The exit diagram shall indicate the location of the nearest telephone and instructions to dial 911.

Section 501.4 of Chapter 5 is hereby amended by adding the following sentence:

Failure to comply with this section upon written or verbal notice from the Chief shall result in a Ross Valley Fire Department order to cease operations and desist further operations until such time as adequate access and/or water for fire protection is provided.

Section 502.1 of Chapter 5 is hereby amended by adding a definition of 'Fire Road' as follows:

**Fire Road** shall mean those improved or unimproved roads, public or private, that provide access for firefighting equipment and personnel to undeveloped areas.

Section 503.1.4 is hereby added to Chapter 5 as follows:

**Section 503.1.4 Fire Roads.** Fire Roads shall be provided for firefighting equipment, apparatus and personnel to undeveloped areas of the Town of Ross so as to gain access to improved, unimproved, and undeveloped areas of the Town of Ross, in a manner approved by the Fire Code Official. Any vehicle or other obstructions may be towed away at the owner's expense.

Section 503.1.5 is hereby added to Chapter 5 as follows:

**Section 503.1.5 Truck company access.** For buildings 3 or more stories or greater than 30 feet (10670mm) in height, approved access roads for ladder truck operations shall be provided within the necessary operational distances as specified by the Fire Code Official.

Section 503.2.1 is amended by adding an exception to read as follows:

**EXCEPTION:** Driveways serving as fire apparatus access roads serving fewer than 5 structures may reduce the width to 12 feet with 1 foot shoulders.

Section 503.2.6.1 is hereby added to Chapter 5 as follows:

**Section 503.2.6.1 Load testing.** Bridges, Piers and Wharfs used for fire apparatus access shall be load tested to the original designed capacity when required by the Chief.

Section 503.4 of Chapter 5 is amended by adding the following sentence:

Any vehicle or other obstruction may be towed away at the owner's expense.

Section 503.4.2 is hereby added to Chapter 5 as follows:

**503.4.2 Prohibition of Vehicular Parking on Private Access ways.** If, in the judgment of the Chief, it is necessary to prohibit vehicular parking along private access ways serving existing facilities, buildings, or portions of buildings in order to keep them clear and unobstructed for fire apparatus access, the Chief may issue an Order to the owner, lessee or other person in charge of the premises to paint the curbs red or install signs or other appropriate notices to the effect that parking is prohibited by Order of the Fire Department. It shall thereafter be unlawful for such owner, lessee or other person in charge of the premises to fail to install or maintain in good condition, the form of notice so prescribed. When such areas are marked or signed as provided herein, no person shall park a vehicle adjacent to any such curb or in the private access way contrary to such markings or signs. Any vehicle so parked in the private access way may be towed away at the expense of the owner of the vehicle.

Section 503.6.1 is hereby added to Chapter 5 as follows:

**503.6.1 Width.** All gates shall open fully to provide an unobstructed passage width of not less than 16 feet or a minimum of two feet wider than the approved net clear opening of the required all weather roadway or driveway and a minimum net vertical clearance of 13 feet 6 inches.

Section 503.6.2 is hereby added to Chapter 5 as follows:

**Section 503.6.2 Electronic gates.** All electronic operated gates shall have installed an approved key switch override system mounted on a stanchion or wall as approved by the Chief in accordance with Standards adopted by the Chief. All electronic or motorized gates shall incorporate in their design that means for fast, effective manual operation of the gates in the event of power or mechanical failure (i.e., easily removable hinge pins for separating power linkage from gates; undercut, weakened or frangible members requiring 40 pounds or less pressure against the gates to cause their failure and the gates to open). All electrical wiring and components of motorized gates shall be UL listed and installed in accordance with the National Electric Code.

Section 506.1 of Chapter 5 is hereby amended as follows:

**Section 506.1 Key Entry Systems.** When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes or in commercial structures that have an automatic fire sprinkler or fire alarm system installed, the Fire Code Official is authorized to require a key entry system to be installed in an approved location. The key entry system shall be of an approved type listed in accordance with UL1037, and if it is a box, shall contain keys necessary to gain access as required by the Fire Code Official.

Section 507.5.1 is hereby amended as follows and by deleting the Exception:

**Section 507.5.1 Where Required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 350 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Code Official.

Section 507.5.1.2 is hereby added to Chapter 5 as follows:

**Section 507.5.1.2 Hydrant for sprinkler systems.** Buildings equipped with sprinkler systems installed in accordance with Section 903 shall have a fire hydrant within 100 feet (30 m) of the fire department connections.

Exception: the distance shall be permitted to exceed 100 feet (30 m) where approved by the Fire Code Official.

Section 507.5.7 is hereby added to Chapter 5 as follows:

**Section 507.5.7 Fire hydrant upgrades.** When additions or modifications to structures are made, the nearest fire hydrant (if a new one is not required) located by the Chief, shall be upgraded to the minimum standard of one 4 1/2" outlet and one 2 1/2" outlet for single family dwellings and the minimum standard of one 4 1/2" outlet and two 2 1/2" outlets for commercial structures.

Exceptions:

1. If the cost of upgrading the fire hydrant exceeds 2% of the cost of the project based on the building permit valuation.
2. One and two family dwellings equipped throughout with an approved automatic sprinkler system.

Section 605.11.2.1 is hereby added to Chapter 6 as follows:

**605.11.2.1 Required conduit.** All wiring that may contain electrical potential when the alternate service disconnect has been activated, (such as the wiring between the solar arrays and the DC electrical disconnect on a photovoltaic system) shall be completely contained in metal conduit.

Section 605.11.5 is hereby added to Chapter 6 and shall read as follows:

**605.11.5. Disconnect.** The electrical service disconnect for the alternative power supply shall be located within eight feet from the electrical service disconnect on the same or an adjacent exterior wall. The disconnect shall be accessible to emergency personnel from the exterior without the use of ladders or other special equipment.

Exception: Enphase or similar technology for solar equipment that de-energizes the system at the roof panels upon loss of A/C reference leaving no energized electrical potential inside the structure when the main breaker is tripped.

Section 605.11.5.1 is hereby added to Chapter 6 and shall read as follows:

**605.11.5.1 Warning Sign.** The following wording shall be placed on a permanent sign attached at the main electrical disconnect. The sign shall be red background with white letters. Minimum size 2-1/2" X 6" with a minimum 22pt. font. Minimum size example below.

**WARNING:**

**This building supplied with an alternative power source. Alternate disconnect is: (*describe location - on the right, below etc.*) of this main disconnect. Both must be used.**

Section 605.11.6 is hereby added to Chapter 6 and shall read as follows:

**Section 605.11.6 Alternative Power Supplies.** The use of an electrical power supply (including but not limited to; photovoltaic, wind, geothermal or fuel fired generators), other than the community's commercial source, shall comply with section 605.11.1 through 605.11.3 to the extent applicable.

Section 901.7 of Chapter 9 is hereby amended by adding the following sentence:

This section shall also apply to residential fire sprinkler systems.

Section 903.2 of Chapter 9 is hereby amended as follows:

**Section 903.2 Where Required.** All Occupancies and Facilities. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Additionally, an automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

Exceptions:

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.

- b. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.

2. In newly created second units.
3. In all buildings which have more than fifty percent (50%) floor area added or any "substantial remodel" as defined in this code, within any 36 month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.
4. In all buildings except R-3 occupancies, in excess of 3,000 sq. ft. which have more than ten per cent (10%) floor area added within any 36 month period. Exceptions may be granted by the Chief when alternate means of protection are installed as approved by the Fire Code Official.
5. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

Section 903.3 of Chapter 9 is hereby amended by adding the following language:

The requirements for fire sprinklers in this code section are not meant to disallow the provisions for area increase, height increase, or Fire-Resistive substitution if otherwise allowed by sections 504 and 506 of the Building Code. All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

- a. In all residential buildings required to be sprinkled any attached garages shall be sprinkled, and except for one and two family dwellings, in all residential occupancies the attics shall be sprinkled.
- b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.
- c. All single family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Chief.
- d. All public storage facilities shall have installed an approved automatic fire sprinkler system. An approved wire mesh or other approved physical barrier shall be installed 18 inches below the sprinkler head deflector to prevent storage from being placed to within 18 inches from the bottom of the deflector measured at a horizontal plane.

Section 903.4 is hereby amended by deleting the following:

Exception #1, 2, 3.

Section 906.11 is hereby added to Chapter 9 as follows:

**Section 906.11 Fire Extinguisher Documentation.** The owner and/or operator of every Group R Division 1 and R Division 2 occupancy shall annually provide the Chief written documentation that fire extinguishers are installed and have been serviced as required by Title 19 California Code of Regulations when such extinguishers are installed in residential units in lieu of common areas.

Section 907.2 of Chapter 9 is amended to add the following paragraphs:

**New Construction:** Every new building constructed for non-residential occupancies greater than 2000 square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.



**Existing Construction:** Every existing building remodeled for non-residential occupancies greater than 2000 square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

Section 907.2.11 is hereby amended by changing the first sentence of the exception to read as follows:

**EXCEPTION:** For group R occupancies other than single family dwellings.

Section 907.8.5.1 is hereby added as follows:

**Section 907.8.5.1 Smoke Alarm Documentation.** The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately.

Section 4906.2 paragraph 2 of Chapter 49 is amended as follows:

2. Land designated as a Wildland-Urban Interface Area by the local enforcing agency to be at a significant risk from wildfires and lands designated as Very-High Fire Hazard Severity Zones by cities and other local agencies.

Section 4906.4 of Chapter 49 is hereby added to read as follows:

#### **SECTION 4906.4 Vegetation Management Plan**

**Section 4906.4. General.** All new construction and substantial remodels shall prepare a vegetation management plan (VMP). Not less than two (2) complete plan sets shall be submitted to the Code Official for review.

**Section 4906.4.1 Content.** The VMP shall include at the minimum:

1. A narrative describing specific and applicable contributing factors in the selection and design of the plan.
2. The Hazard Assessment Matrix.
3. The list of plants to be used and materials consistent with the approved plant list.
4. Two (2) sets of blue prints showing the house, zone, plant type and spacing.

Section 4906.4.2 Cost. The cost of vegetation management plan preparation and review shall be the responsibility of the applicant.

Section 4907.1 of Chapter 49 is amended as follows:

Section 4907.1 **General.** Defensible space will be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code 4290 and "SRA Fire Safe Regulations" California Code of Regulations, Title 14 Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Wildland-Urban Interface Area as designated by the local enforcing agency to be at a significant risk from wildfires and Very-High Fire Hazard Severity Zones of a local responsibility area (LRA) shall maintain defensible space as outlined in Government Code 51175-51189, and any local ordinance or standard published by the Fire Code Official.

Section 4907.2 is hereby added to Chapter 49 as follows:

Section 4907.2 **Fire Hazard Reduction.** Any person who owns, leases, controls or maintains any building or structure within specific Wildland Urban Interface areas of the jurisdiction of the Town of Ross and persons owning, leasing or controlling land adjacent to such buildings or structures shall comply with the following: cut and remove all pyrophytic combustible vegetation within 30 feet of structures, up to 150 feet when topographic or combustible vegetative types necessitate removal as determined by the Fire Code Official. Remove piles of accumulated dead vegetation on the property. Cut and remove tree limbs that overhang wood decks and roofs. Remove that portion of any tree which extends within 10 feet of any chimney or stovepipe. Clean any leaves and needles from roof and gutters. Cut and remove growth less than 3-inches in diameter, from the ground up to a maximum height of 10 feet, provided that no crown shall be raised to a point so as to remove branches from more than the lower one-third of the tree's total height.

**EXCEPTION 1:** When approved by the fire code official, single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

**EXCEPTION 2:** When approved by the fire code official, grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize soil, and prevent erosion.

Section 4907.3 is hereby added to Chapter 49 as follows:

**Section 4907.3 Fire Hazard Reduction From Roadways.** The Fire Chief is authorized to cause areas within 10 feet (3048 mm) on each side of portions of public streets and highways and private streets which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Chief is authorized to enter upon private property to do so in accordance with Section 14.04.120 of the Ross Municipal Code.

**EXCEPTION:** Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

Section 4907.4 is hereby added to Chapter 49 as follows:

**Section 4907.4 Nuisance.** Failure to comply with the requirements of Section 4907.2 shall be deemed a public nuisance. The Fire Chief is hereby authorized to require the abatement of any nuisance condition described in Section 4907.2 or Section 4907.3. Abatement shall be accomplished in accordance with Section 14.04.120 of the Ross Municipal Code.

Section A104.7.2 of Appendix A of the International Wildland-Urban Interface Code is amended as follows:

**Section A104.7.2 Permits.** The fire code official is authorized to stipulate reasonable conditions for permits as necessary to reduce the threat of wildfire in a wildland-urban interface area and improve the capability of controlling such fires. Permits shall not be issued when public safety would be at risk, as determined by the fire code official.

Section A104.11 is hereby added to Appendix A of the International Wildland-Urban Interface Code as follows:

**Section A104.11 – TRACER BULLETS, TRACER CHARGES, ROCKETS AND MODEL AIRCRAFT.** Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across hazardous fire areas. Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause a fire shall not be fired or projected into or across hazardous fire areas.

Section A104.12 is hereby added to Appendix A of the International Wildland-Urban Interface Code as follows:

**Section A104.12 EXPLOSIVES AND BLASTING.** Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within hazardous fire areas except by permit from the fire code official.

Section A104.13 is hereby added to Appendix A of the International Wildland-Urban Interface Code as follows:

Section 104.13 **APIARIES.** Lighted or smoldering material shall not be used in connection with smoking bees in or upon hazardous fire areas except by permit from the fire code official.

#### **SECTION 14.04.110. AUTHORITY TO ARREST AND ISSUE CITATIONS**

(a) The Fire Chief, Chief Officers, Fire Marshal, and Fire Inspectors shall have authority to arrest or to cite any person who violates any provision of this Chapter involving the Fire Code or the California Building Standards Code regulations relating to fire and panic safety as adopted by the State Fire Marshal, in the manner provided for the arrest or release on citation and notice to appear with respect to misdemeanors or infractions, as prescribed by Chapters 5, 5c and 5d of Title 3, Part 2 of the California Penal Code, including Section 853.6, or as the same hereafter may be amended.

(b) It is the intent of the Town Council of the Town of Ross that the immunities provided in Penal Code Section 836.5 be applicable to aforementioned officers and employees exercising their arrest or citation authority within the course and scope of their employment pursuant to this Chapter.

#### **SECTION 14.04.120. NUISANCE ABATEMENT.**

(a) Any violations of the Town Fire Code shall be deemed a public nuisance.

(b) The owner of any property within the Town has the primary responsibility for keeping the property free of public nuisances. Tenants and occupants, for the purposes of this Chapter, shall be deemed to be the agents of the owner.

(c) All entries and inspections shall be done in a lawful and reasonable manner. If an owner, lawful occupant, or the respective agent thereof refuses permission to enter and/or inspect, the Fire Chief of the Ross Valley Fire Department or the duly authorized enforcement officer (collectively hereinafter, "Fire Chief") may seek an administrative inspection warrant pursuant to the procedures provided by California Code of Civil Procedure Section 1822.50 through 1822.59, as may be amended from time to time, or the successor provisions thereto.

(d) Whenever the Fire Chief believes a public nuisance exists, the Fire Chief shall commence abatement proceedings.

(e) The Fire Chief shall cause a written notice to be issued to abate such nuisance. Notice requiring the abatement of such nuisance shall be given by mail to the owner of the property upon which, or in front of which, such nuisance exists, at such owner's address as shown on the last equalized Assessment Roll of the County of Marin. Such notice shall contain the following:

1. The street address and Assessor's Parcel Number for the affected property.
2. The date of the inspection of the property by the Fire Department during which such nuisance was discovered.
3. A description of the nuisance and its location on, or in front of, the property.
4. The abatement action which the owner is required to take and a time limit for such abatement.
5. A statement that if the owner fails to abate such nuisance within the prescribed time and the Fire Department, or other Town agent, will abate the nuisance.
6. A statement that if the Fire Department, or other Town agent, is required to abate the nuisance the cost of such abatement will be assessed as a lien or special assessment against the property.
7. A statement that the determination of the existence of a nuisance may be appealed to the Fire Chief within the time limit to abate the nuisance.

(f) Abatement. Should the owner of the affected property (i) fail to abate the nuisance, and (ii) fail to appeal the determination of the existence of a nuisance to the Fire Chief within the period set forth in the notice requiring abatement, the Fire Chief is authorized to perform such abatement and shall keep an accurate account of the cost of such abatement, including administrative costs.

(g) The Fire Chief shall mail written notice of the costs of the abatement to the owner of the affected property who may, within fifteen days of the date of such mailing, request a hearing by the Fire Chief with respect to such cost. The Fire Chief shall hold a hearing within thirty (30) days of receiving the request. The Fire Chief may make any corrections or modifications if it deems the proposed costs to be excessive or incorrect. The decision of the Fire Chief shall be final.

(h) Assessment of Cost. The cost of such abatement as finally fixed and determined by the Fire Chief may be recovered in an appropriate civil action, including costs of litigation and attorneys fees, or may be enforced by a nuisance abatement lien or special assessment against the parcel of land as more particularly set forth in Government Code Sections 38773.1 and 38773.5, respectively. At least thirty (30) days prior to recordation of the nuisance abatement lien, or submission of the report to the Tax Collector for collection of this special assessment, the Fire Chief shall give notice to the record owner of the property of the intent to collect abatement and related administrative costs against the property. In addition to any information required by state law, the notice shall include a summary of costs associated with enforcement of this Ordinance and abatement of the nuisance.

(i) **Emergency Abatement.** Notwithstanding any other provisions of this Chapter, whenever the Fire Chief determines that any real property or any building, structure or condition thereon is dangerous or constitutes an immediate threat to public health or safety, the Fire Chief shall, without being required to comply with the procedures of this Section, immediately cause such public nuisance to be abated, provided all other legal constitutional requirements are complied with.

(j) **Remedies are Cumulative.** Nothing in this Chapter shall be deemed to prevent the Town from commencing a civil or criminal proceeding to abate a public nuisance or from pursuing any other means available to it under provisions of applicable ordinances or state law to correct hazards, deficiencies or violations of law in real property in addition to or as alternatives to the proceedings set forth in this Chapter.

#### **SECTION 14.04.130 PENALTIES**

(a) Any violation of the Town Fire Code as adopted herein may be a misdemeanor or infraction, and subject to the penalties set forth herein.

(1) The first citation, within a 12-month period, for a violation of the Town Fire Code shall be treated as an infraction, punishable by a fine of \$100.

(2) Any subsequent citation within a twelve (12) month period for any violation of the Town Fire Code may be either a misdemeanor or an infraction, as determined by the discretion of the Fire Chief. Misdemeanors shall be subject to the penalties set forth in Section 109 or 111 as applicable. Infractions shall be punishable by the fines specified in California Government Code Section 36900.

(b) An Administrative Citation and fine may also be imposed in accordance with Chapter 9.70. The use of Administrative Citation and fine as means for addressing violations of this code shall be in addition to criminal, civil or other legal or equitable remedies established by law that may be pursued to address violations of this code and may be used at the sole discretion of the Town. The amounts of the Administrative Citation fines are contained in Section 9.70.120 of the Ross Municipal Code.

(c) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. Unless otherwise specified, each day that a violation occurs or continues after a final notice has been delivered, shall constitute a separate offense. The application of both criminal and administrative penalties shall not be held to prevent enforcement or the correction of prohibited conditions.

(d) Nothing contained in Subsections (a) and (b) of this Section shall be construed or interpreted to prevent the Ross Valley Fire Department from recovering all costs associated

with a Ross Valley Fire Department emergency response as described in Section 104.12 of the 2013 California Fire Code, as amended.

#### **SECTION 14.04.140. APPEALS**

(a) Any person receiving an Administrative Citation may contest the Citation in accordance with Section 9.70.070.

(b) Any person receiving a bill for Ross Valley Fire Department response costs and expenses pursuant to Section 104.12 of the Fire Code, may file within thirty (30) days after the date of mailing the bill, an administrative appeal against imposition of the response costs and expenses. The appeal shall be in writing and filed with the Fire Chief, and shall include a copy of the bill and statement of the grounds for appeal. The Fire Chief shall conduct an administrative hearing on the appeal, after giving the appellant at least ten (10) days' advance written notice of the time and place of the hearing. Within ten (10) days after the hearing the Chief shall give written notice of the decision to the appellant, which decision shall be final. If the appeal is denied in part or full, all amounts due shall be paid within thirty (30) days after the mailing of the notice of the decision of the hearing officer.

(c) Whenever the Fire Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the Town Council within 10 days from the date of the decision. The Town Council shall conduct an administrative hearing on appeal, after giving the appellant at least ten (10) days' advance written notice of the time and place of the hearing. Within ten (10) days after the hearing, the Town Council shall give written notice of the decision to the appellant, which decision shall be final. The provision of this section shall not apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in various sections of this Code, or to matters for which an appeal is provided pursuant to Section 14.04.130 (a) or (b) above.

#### **SECTION 14.04.150. FEE AND PENALTY ADJUSTMENTS**

The Town Council may, by resolution, revise the fees and penalties established by this Title 14.04."

#### **SECTION 3. Validity**

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the Town Council which addresses the same subject addressed herein.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Town Council of the Town of Ross hereby declares that it would have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases shall be declared invalid.

**SECTION 4. Ordinance posting and effective date**

Within fifteen (15) days after its adoption, a summary of this Ordinance shall be posted in three public places in the Town of Ross and a certified copy of the full text of this Ordinance shall be posted in Town Hall.

This Ordinance shall be effective 30 days following its adoption by the Town Council or January 1, 2014, whichever is later.

The Town Clerk shall cause Section 2 of this ordinance to be codified in the Ross Municipal Code.

This Ordinance, together with the findings in Exhibit A, shall be filed with the California Building Standards Commission within thirty (30) days after its final passage.

The foregoing ordinance was duly introduced at a regular meeting of the Town Council of the Town of Ross held on the 14th day of November, 2013 and thereafter adopted at a regular meeting of the Town Council on the 12th day of December, 2013 by the following vote:

**AYES:** Council Members Kuhl, Hoertkorn, Russell, Small

**NOES:** Council Member Brekhus

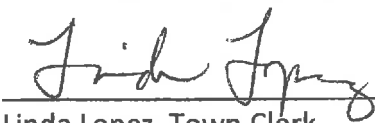
**ABSENT:**

**ABSTAIN:**



P. Beach Kuhl, Mayor

**ATTEST:**



Linda Lopez, Town Clerk



## **EXHIBIT A**

### **FINDINGS OF FACT AND NEED FOR CHANGE OR MODIFICATIONS TO THE STATE BUILDING STANDARDS CODE BECAUSE OF LOCAL CONDITIONS**

#### **CHANGES OR MODIFICATIONS**

Pursuant to Section 17958.5, 17958.7 and 18941.5 of the State of California Health and Safety Code, the Town Council of the Town of Ross in its ordinances adopting and amending the 2013 California Fire Code, certain portions of the 2012 edition of the International Fire Code, and Appendix A of the 2012 edition of the International Wildland-Urban Interface Code, changes or modifies certain provisions of the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9). A copy of the text of such changes or modifications is attached.

Pursuant to Sections 17958.5, 17958.7, and 18941.5 of the State of California Health and Safety Code, the Town Council of the Town of Ross has determined and finds that the attached changes or modifications to the 2013 California Fire Code are needed and are reasonably necessary because of local climatic, geographic and topographic conditions.

#### **PROFILE OF THE TOWN OF ROSS**

The Town of Ross encompasses an area of 1.6 square miles with a resident population of approximately 2450. The physical location of the Town is in the central part of Marin County, in the central portion of the Ross Valley.

The placement of commercial development has been limited to the valley floor area with the residential communities extending out and up into the steep canyons and hills which surround the valley on both the north and south sides.

Travel into and out of the area is accomplished through two lane roads, which are the main arteries of commuter traffic to the bay area commercial centers.

The Town Council recognizes the fact that Marin County has been plagued many times in the late 1800's and early 1900's by brush and forest fires which not only threaten destruction, but on a number of occasions devastated large portions of communities. The desire of the community to preserve natural vegetation has resulted in the encroachment of brush and grass on fire roads, trails, breaks and streets within the Town, thus rendering such separations ineffective against the spread of fires and safe egress. Natural growth, which is highly flammable during the drier months of the year, encroaches upon many properties, thus posing a potential fire threat to many structures and creating a substantial hindrance to the control of such fires.

With the given profile of the Town of Ross and the subsequent research being conducted by members of the Ross Valley Fire Department staff, the Town has established certain requirements, which were developed to increase the level of safety and reduce the level of exposure to the citizens

of the Town as well as protect the buildings (investments) within its boundaries. The following points were established as factors which caused concern and are herein established and submitted as the "Findings of Fact":

## **1. CLIMATIC**

a. **Precipitation.** The normal year's rainfall is approximately 30 to 50 inches on the average calendar year. The area has been subject to extended periods of drought and less than normal rainfall as well as intense rains, which have caused local flooding and damage from geotechnical failure (landslides). Approximately ninety percent (90%) of the annual rainfall is experienced during the months of November through April, and 10% from May through October.

b. **Relative Humidity.** Moisture in the air, also known as relative humidity, changes significantly during any given day. Humidity generally ranges from 50% during daytime hours to 85% at night. It drops to 30% during the summer months and occasionally drops lower. During periods when the area experiences easterly hot, dry winds, the relative humidity drops significantly, thus creating a greater danger.

c. **Temperatures.** Average summer highs are in the 75 degree to 85 degree range. There are weather periods where temperatures can rapidly reach 100 degrees and have been recorded even higher.

d. **Winds.** Prevailing winds are generally from the West. However, winds are experienced from virtually every direction at one time or another, due to topography. Velocities are generally in the 5 – 15 mph range, gusting to 10 – 30 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.

e. **Summary.** The climate (weather patterns) within the Town of Ross is predominantly affected by the marine influence of the Pacific Ocean. During the summer months, the southerly exposed slopes and open fields become dry with seasonal grasses, which present a fuel for the rapid spread of fire. The Northerly slopes are heavily wooded and present a moderate to heavy fuel load with respect to fire danger. These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions. Furthermore, winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another and wildland areas. All water storage and supply comes from reservoirs and lakes within the county, and are affected by the climate accordingly.

## **2. GEOGRAPHICAL and TOPOGRAPHICAL**

a. **Geographical Features.** The geographical features in and around the Town of Ross are a source of enjoyment for our residents. The hills and valleys give a natural beauty to the area with forested hills and golden yellow meadows leading up to them. These geographic features form the backdrop for the residential and commercial communities and dictate the locations of roadways and building locations. These geographic features also create barriers, which negatively affect accessibility and influence fire behavior during major conflagrations. Many structures (new and old) are constructed of highly combustible material, which offer little resistance to fire and could contribute to the spread of fire. For practical and cost reasons, new structures are built of wood (type V) construction. The potential for conflagration exists with the density of the various specific areas of the Town. The concentrated commercial, as well as residential occupancies, causes concern when considering the "exposure" elements of building to building to grass and brush areas of the Town.

b. **Seismic Location.** The Town of Ross lies within the recognized seismic zone #4, which is the most dangerous zone. While the area has experienced several significant seismic events, there has been a minimum of damage. The Town sits between two active earthquake faults (San Andreas and Hayward) and numerous potentially active faults. The potential for great damage exists, and must be considered as a real threat to be planned for.

c. **Size and Population.** The Town of Ross encompasses an area of 1.6 miles with a resident population of approximately 2450. The Town is served by the Ross Valley Fire Department. Ross Valley Fire has four (4) stations (two of which are in San Anselmo, one in Fairfax, and one in Ross), 33 fire personnel (serving the Towns of Fairfax, San Anselmo, Ross and the Sleepy Hollow Fire Protection District), with diverse responsibilities including wildland, urban, and paramedical.

d. **Roads and Streets.** Several of the heavily populated areas have limited roadways and escape routes. The Town of Ross has numerous narrow, winding roads, some barely passable with modern fire apparatus, causes access problems and extended travel times especially in the older hillside sections of the jurisdiction. The accessibility for fire department apparatus is of concern due to the lack of turnouts and roadway widths which increases response time.

e. **Topography.** The Department's service area is a conglomeration of oak plains, hills, valleys and ridges. The flatter lands are found in the center portion of the service area and approximately half of the residential development is in this area. The other half of the service area with residential development consists of hillsides with slopes ranging from approximately 15-30% and 30+%. These hazardous conditions present an exceptional and continuing fire danger to the residents of the community due to the difficulty of the terrain and topography of the area, much of it consisting of boxed canyons with steep, brush covered slopes; narrow winding streets used by residents of the area and the Fire Department for ingress and egress, steep hills which hinder Fire Department response time; older and inadequate water systems in certain areas of the community; and the location of buildings and structures with relation to these dangerous areas. The water supply for

domestic and fire flow systems within this Town are directly affected by the topographical layout of the Town. The supply of water comes from lakes, which are managed by a public utilities district responsible for maintaining an adequate supply. The water distribution system within the Town is very old in some areas served by mains, which are inadequate in size to provide water for fire protection. The valley floor is served by mains which contain an exceptionally large volume of water for fire protection. The Town of Ross has a base elevation of approximately 35 feet and extends to areas in excess of 900 feet above sea level.

f. **Vegetation.** The Town Council recognizes that the Town of Ross has within its borders and along its boundaries, significant areas of grass, brush and heavily forested lands. In addition, the natural vegetation of the area has been altered by the addition of ornamental trees and shrubs, which are not native and add fuel around the houses and buildings of our community. The south facing exposure is primarily annual grasses, highly flammable brush, with occasional clumps of bay and oak trees in the more sheltered pockets. The north facing slopes are heavily wooded from lower elevations to ridge with oak and bay trees and minor shrubs of the general chaparral class. Expansion of the residential community into areas of heavier vegetation has resulted in homes existing in close proximity to dense natural foliage. Often such dwellings are completely surrounded by highly combustible vegetation compounding the fire problem from a conflagration point of view. Of particular recent notice is the increase in dead down fuel and ladder accumulation directly associated with the sudden oak death syndrome.

### **Summary**

The above local geographic and topographic conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Fire Department.

Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

The valley floor has zones recognized by the Federal Emergency Management Agency as flood zones. During times of intense rainfall, flooding and landslides have occurred which have destroyed structures and threatened lives. Within the past decade, these events have caused the local government to declare disasters and seek state and federal assistance.

Some of the existing structures in the commercial areas of the Town lack the required firewall separation. These structures cause concern to the Fire Department because of the potential for major conflagration. As these structures are replaced, the exposure potential will be significantly reduced.

Several other variables may tend to intensify an incident, such as, the extent of damage to the water system; the extent of roadway damage and/or amount of debris blocking the roadways; climatic

conditions (hot, dry weather with high winds); time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and the availability of timely mutual aid or military assistance.

### **Conclusion**

Local climatic, geographic and topographic conditions impact fire prevention efforts, and the frequency, spread, acceleration, intensity, and size of fire involving buildings in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore it is found to be reasonably necessary that the California Fire Code, International Wildland-Urban Interface Code, and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

Furthermore, California Health and Safety Code Sections 17958.7 requires that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the Town of Ross finds that the following table provides code sections that have been modified pursuant to Town of Ross Ordinance No. 646 which are building standards as defined in Health and Safety Code Section 18909, and the associated referenced conditions for modification due to local climatic, geological and topographical reasons.

<b>Section Number</b>	<b>Local climatic, geological and topographical conditions</b>
102.5	1a, 1b, 1e, 2a, 2b, 2d, 2e
104.12	2c, 2g
104.13	2c, 2d, 2g
105.6.47	1e, 2a, 2b, 2d, 2e, 2f
202 (c)	1e, 2a, 2b, 2d, 2e, 2f
202 (s)	1e, 2a, 2b, 2d, 2e, 2f
202 (t)	1e, 2a, 2b, 2d, 2e, 2f
302.1	2b, 2d, 2e, 2g
319.1	2b, 2d, 2e, 2g
319.2	2b, 2d, 2e, 2g
319.3	2b, 2d, 2e, 2g
319.4	2b, 2d, 2e, 2g
320.1	1a, 1b, 1c, 1e, 2a, 2d, 2e, 2f
320.2	1a, 1b, 1c, 1e, 2a, 2d, 2e, 2f
401.1.1	2b, 2c, 2d, 2g
402.1	2b, 2c, 2d, 2g
408.1.1	2b, 2c, 2d, 2g
408.8.4	2b, 2c, 2d, 2g
501.4	1a, 1b, 1c, 2d, 2e, 2f
502.1	1a, 1b, 1c, 2d, 2e, 2f
503.1.4	1a, 1b, 1c, 2d, 2e, 2f

503.1.5	2a, 2d, 2e, 2g
503.2.1	2a, 2d, 2e, 2g
503.2.6.1	2a, 2b, 2c, 2d, 2e, 2f
503.4	2a, 2d
503.4.2	2a, 2d
503.6.1	2a, 2d,
503.6.2	2a, 2d
506.1	2a, 2d, 2e, 2g
507.5.1	1e, 2a, 2b, 2c, 2d, 2e, 2f, 2g
507.5.1.2	2a, 2d, 2e, 2g
507.5.7	2a, 2c, 2f
605.11.2.1	2a, 2b, 2d, 2e, 2f
605.11.5	2a, 2b, 2d, 2e, 2f
605.11.5.1	2a, 2b, 2d, 2e, 2f
605.11.6	2a, 2b, 2d, 2e, 2f
901.7	1a, 1b, 1e, 2a, 2b, 2d, 2e
903.2	1a, 1b, 1e, 2a, 2b, 2d, 2e
903.3	1a, 1b, 1e, 2a, 2b, 2d, 2e
903.4	1a, 1b, 1e, 2a, 2b, 2d, 2e
906.11	1e, 2g
907.2	2c, 2d, 2g
907.2.11	1e, 2g
907.8.5.1	1e, 2g
4906.2	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4906.4	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4906.4.1	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4907.1	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4907.2	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4907.3	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4907.4	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
A104.11	1a, 1b, 1c, 1e, 2a, 2d, 2e, 2f
A104.12	1a, 1b, 1c, 1e, 2a, 2d, 2e, 2f
A104.13	1a, 1b, 1c, 1e, 2a, 2d, 2e, 2f

# **TOWN OF ROSS**

## **ORDINANCE NO. 647**

**AN ORDINANCE OF THE TOWN OF ROSS REPEALING CHAPTERS 15.04, 15.08, 15.12, 15.13, 15.14, 15.15, 15.16, 15.17, 15.18, 15.26, 15.40, AND 15.44 OF TITLE 15 OF THE ROSS MUNICIPAL CODE; AND ENACTING CHAPTERS 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12, 15.13, 15.14, 15.15, 15.16, 15.17, 15.18 TO ADOPT AND AMEND AS NOTED THE 2013 CALIFORNIA ADMINISTRATIVE CODE, THE 2013 CALIFORNIA BUILDING CODE, THE 2013 CALIFORNIA RESIDENTIAL CODE, THE 2013 CALIFORNIA ELECTRICAL CODE, THE 2013 CALIFORNIA MECHANICAL CODE, THE 2013 CALIFORNIA PLUMBING CODE, THE 2013 CALIFORNIA ENERGY CODE, THE 2013 CALIFORNIA HISTORICAL BUILDING CODE, THE 2013 CALIFORNIA EXISTING BUILDING CODE, THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2013 CALIFORNIA REFERENCED STANDARDS CODE, THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, THE 1997 UNIFORM HOUSING CODE, AND CHAPTER 15.18 DILAPIDATED BUILDINGS FROM PRIOR MUNICIPAL CODE; AND AMENDING CHAPTERS 15.24 AND 15.56 OF THE ROSS MUNICIPAL CODE**

The Ross Town Council does hereby ordain as follows:

### **SECTION 1.**

The following Chapters of the Ross Municipal Code are hereby repealed:

Chapters 15.04 California Building Code, 15.08 Dilapidated Buildings, 15.12 California Plumbing Code, 15.13 California Energy Code, 15.14 California Mechanical Code, 15.15 California Green Building Code, 15.16 California Electrical Code, 15.17 California Residential Code, 15.18 California Fire Code, 15.26 Construction and Demolition Materials Recovery, 15.40 Solar Installations, and 15.44 Earthquake Hazard Reduction in Unreinforced Masonry Buildings.

### **SECTION 2.**

Findings:

The Town Council of the Town of Ross finds that, in order to best protect the health, safety and welfare of the citizens of the Town of Ross, the building standards within the community must comply with State law, except where local climatic, geological and topographical conditions warrant more restrictive regulations.

Pursuant to Sections 18941.5, 17958, & 13689.7 of the California Health and Safety Code, the governing body of the Town of Ross, in its ordinance adopting the California Building Standards Code and uniform industry codes, may establish amendments which are more restrictive than

those adopted by the State of California commonly referred to as Title 24 of the California Code of Regulations, based on local climatic, geological and topographical conditions.

Local climatic, geological, and topographical conditions:

1. The Council recognizes and finds that due to steep terrain, narrow roads, proximity to the San Andreas and Hayward faults, and the potential flooding of the Corte Madera Creek, unique conditions exist which require special considerations in the construction within the town.
2. The Council expressly finds that climatic, environmental, and geological conditions exist within the Town requiring special provisions for adequate fire suppression.

Conclusion:

3. In recognition of these unique and serious hazards, and the need to prevent the loss of life and property, the Council finds that code modifications set forth in this ordinance, as such changes modify the state regulations contained in the California Building Standards Code, are reasonably necessary for the protection of life and property.

Therefore, the Town Council hereby makes the factual findings set forth in "Exhibit A" attached hereto and incorporated herein by reference, and finds that the amendments made in this ordinance to the 2013 California Building Standards Code are reasonably necessary because of the local climatic, geological or topographical conditions stated in Exhibit A.

### **SECTION 3.**

The Town of Ross hereby adopts Chapter 15.04 to read as follows:

#### Chapter 15.04

#### CALIFORNIA ADMINISTRATIVE CODE

#### Sections:

15.04.010 Adoption of code.

#### **15.04.010 Adoption of code.**

The 2013 California Administrative Code (California Code of Regulations, Title 24, Part 1), published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.



## **SECTION 4.**

The Town of Ross hereby adopts Chapter 15.05 to read as follows:

### **Chapter 15.05**

#### **CALIFORNIA BUILDING CODE**

##### **Sections:**

15.05.010	Adoption of code.
15.05.015	Section 1.8.4.2 Fees & Section 109.2 Schedule of permit fees – amended and new Section 109.2.1 - added.
15.05.020	Section 109.4 Work commencing before permit issuance – amended and new Section 109.4.1 - added.
15.05.025	Section 702A Definitions – Hillside Lot Regulations - added
15.05.030	Section 701A.5 Vegetation management compliance - amended
15.05.035	Section 702A Definitions – Wildland Urban Interface Fire Area -amended
15.05.040	Section 902 Definitions – Second Unit – added
15.05.045	Section 902 Definitions – Substantial Remodel - added
15.05.050	Section 903.2 Where Required – amended
15.05.055	Section 903.3 Installation Requirements – amended
15.05.060	Section 903.4 Sprinkler System Supervision and Alarms – exceptions deleted
15.05.065	Section 906.11 Fire Extinguisher Documentation - added
15.05.070	Section 907.2 Where Required – New Building and Construction –amended
15.05.075	Section 907.2.11 Single and Multiple Station Smoke Alarms - exception amended
15.05.080	Section 907.8.1 Smoke Alarm Documentation – added
15.05.085	Section 1505.1.3 Roof Coverings Within All Other Areas – amended
15.05.090	Section 1509.7.5 Requirements - added

##### **15.05.010 Adoption of code.**

The 2013 California Building Code (California Code of Regulations, Title 24, Part 2), with Division II of Chapter 1, and Appendices C, I, and J, as based upon the 2012 International Building Code (IBC) and published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

##### **15.05.015 Section 1.8.4.2 Fees & Section 109.2 Schedule of permit fees – amended and new Section 109.2.1 added.**

Section 1.8.4.2 “Fees” and Section 109.2 “Schedule of permit fees” are amended to read as follows:

1.8.4.2 Fees. The fee for each permit shall be as set forth by the latest resolution of the Town Council.

109.2 Schedule of permit fees. The fee for each permit shall be as set forth by the latest resolution of the Town Council.

Section 109.2.1 "Plan review fees" is added to read as follows:

109.2.1 Plan review fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review shall be 80 percent of the building fee. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate established by resolution of the Town Council.

**15.05.020 Section 109.4 Work commencing before permit issuance – amended and new Section 109.4.1 - added.**

Section 109.4 "Work commencing before permit issuance" amended to read as follows:

109.4 Work commencing before permit issuance. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be as set in subsection 109.4.1. The payment of such investigation fee shall not exempt any person from compliance with other provisions of this code nor any penalty prescribed by law.

Section 109.4.1 "Investigation fee for work commenced prior to obtaining a permit" is added to read as follows:

109.4.1 Investigation fee for work commenced prior to obtaining a permit. Any person who commences any work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefor, shall pay in addition to any other penalty or fine, a special investigation fee equal to 20% of the market value of the project commenced without a permit. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

**15.05.025 Section 202 Definitions – Hillside Lot Regulations**

Section 202 is amended to add the definition of Hillside Lot Regulations to read as follows:

Hillside Lot Regulations. – All areas within the limits of the Town of Ross that are within hillside areas, as defined in the Town of Ross Municipal Code Section 18.39.020. All such areas

shall, in addition to all applicable requirements of Title 15 of the Municipal Code, be subject to all conditions and provisions of Title 18, Chapter 18.39. Hillside Lot Regulations.

**15.05.030 Section 701A.5 Vegetation management compliance - amended.**

Section 701A.5 Vegetation management compliance is amended to add the following:

A vegetation management plan shall be prepared for all new construction and substantial remodels located within a defined Wildland Urban Interface Area. The vegetation management plan shall be in compliance with the provisions of the California Fire Code and Chapter 14.04, Section 4906.4 of the Town of Ross Municipal Code. The Ross Valley Fire District shall be the responsible party for compliance inspection.

**15.05.035 Section 702A Definitions – Wildland Urban Interface Fire Area.**

Section 702A is hereby amended to add the definition of “Wildland Urban Interface Fire Area” as follows:

Wildland Urban Interface Fire Area - is a geographical area located within any Moderate, High, or Very High Fire Severity Zone as recommended by the CFD Director pursuant to Public Resources Code Sections 4201-4204 and Government Code Sections 51175-51189 in a Very High Fire Severity Zone of a local responsibility area (LRA), or as identified in WUI maps adopted by the Town Council.

**15.05.040 Section 902 Definitions – Second Unit.**

Section 902 – Definitions is amended to add the definition of Second Unit to read as follows:

Second Unit – is a completely separate housekeeping unit with kitchen, sleeping, and bathroom facilities which is part of, an extension to, or a separate structure on a sited developed with a single family residence, in excess of the maximum density designated by the zoning district in which the property is situated or as prescribed thereby,

**15.05.045 Section 902 Definitions – Substantial Remodel.**

Section 902 – Definitions is amended to add the definition of Substantial Remodel to read as follows:

Substantial Remodel – shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty (50) percent of the existing floor area of the structure within any 36 month period. When any changes are made in the building, such as walls, columns, beams, girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, plies, or retaining walls or similar components, the floor areas of all rooms affected by such change shall be included in computing floor areas for the purpose of applying this definition. This definition shall not apply to the replacement and upgrading of residential roof coverings as specified in Section 15.05.080

**15.05.050 Section 903.2 Where Required - amended.**

Section 903.2 “Where Required” is hereby amended to read as follows:

903.2 - All Occupancies and Facilities. An automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

Exceptions:

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.

- b. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.

2. In newly created second units.

3. In all buildings which have more than fifty percent (50%) floor area added or any "substantial remodel" as defined in this code, within any 36 month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.

4. In all buildings except R-3 occupancies, in excess of 3,000 sq. ft. which have more than ten per cent (10%) floor area added within any 36 month period. Exceptions may be granted by the Chief when alternate means of protection are installed as approved by the Fire Code Official.

5. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

**15.05.055 Section 903.3 Installation Requirements - amended**

Section 903.3 "Installation Requirements" is amended to add the following:

903.3 - The requirements for fire sprinklers in this code section are not meant to disallow the provisions for area increase, height increase, or Fire-Resistive substitution if otherwise allowed by sections 504 and 506 of the Building Code. All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

- a. In all residential buildings required to be sprinkled any attached garages shall be sprinkled, and except for one and two family dwellings, in all residential occupancies the attics shall be sprinkled.

- b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.

c. All single family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Chief.

d. All public storage facilities shall have installed an approved automatic fire sprinkler system. An approved wire mesh or other approved physical barrier shall be installed 18 inches below the sprinkler head deflector to prevent storage from being placed to within 18 inches from the bottom of the deflector measured at a horizontal plane.

**15.05.060 Section 903.4 Sprinkler System Supervision and Alarms (exceptions) - deleted -**

Section 903.4 "Sprinkler System Supervision and Alarms" is amended to delete exceptions #1, #2, and #3.

**15.05.065 Section 906.11 Fire Extinguisher Documentation - amended -**

Section 906.11 "Fire Extinguisher Documentation" is added to read as follows:

906.11 - Fire Extinguisher Documentation. The owner and/or operator of every Group R Division 1 and R Division 2 occupancies shall annually provide the Chief written documentation that fire extinguishers are installed and have been serviced as required by Title 19 California Code of Regulations when such extinguishers are installed in residential units in lieu of common areas.

**15.05.070 Section 907.2 Where Required - New Buildings and Construction - amended -**

Section 907.2 New Building and Construction is amended to add the two paragraphs as follows:

**907.2 - New Construction:** Every new building constructed for non-residential occupancies greater than 2000 square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

**Existing Construction:** Every existing building remodeled for non-residential occupancies greater than 2000 square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

**15.05.075 Section 907.2.11 Single and Multiple Station Smoke Alarms –exception amended –**

Section 907.2.11 “Single and Multiple Station Smoke Alarms” is amended to change the first sentence of the Exception to read as follows:

Exception: For Group R occupancies other than single family dwellings.

**15.05.080 Section 907.8.1 Smoke Alarm Documentation - added –**

Section 907.8.1 “Smoke Alarm Documentation” is added to read as follows:

907.8.1 - Smoke Alarm Documentation. The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately.

**15.05.085 Section 1505.1.3 Roof coverings within all other areas – amended.**

Section 1505.1.3 “Roof coverings within all other areas” is amended to read as follows:

1505.1.3 Roof coverings within all areas. The roof covering on any structure regulated by this code shall be a Class A roof assembly as classified in Section 1505.2. An existing structure with an existing wood shake or shingle roof shall replace the entire roof with a Class A roof assembly when increasing the area of the existing roof by a third or more, or when repairing, altering or replacing one third or more of the existing roof area.

**15.05.090 Section 1509.7.5 Requirements – added.**

Section 1509.7.5 Requirements is added to read as follows:

Roof mounted photovoltaic panels/modules shall comply with the requirements of the California Building Code as amended, the California Residential Code as amended, the California Electrical Code, and the California Fire Code as amended.

**SECTION 5.**

The Town of Ross hereby adopts Chapter 15.06 to read as follows:

**Chapter 15.06**

**CALIFORNIA RESIDENTIAL CODE**

**Sections:**

- |           |                                                                         |
|-----------|-------------------------------------------------------------------------|
| 15.06.010 | Adoption of code.                                                       |
| 15.06.015 | Section 1.8.4.2 Fees & Section R108.2 Schedule of Permit Fees - amended |
| 15.06.020 | Section R108.6 Work Commencing Before Permit Issuance – amended         |

15.06.025	Section R202 Definitions – Second Unit – added
15.06.030	Section R202 Definitions – Substantial Remodel - added
15.06.035	Section R327.2 Definitions – Hillside Lot Regulations
15.06.040	Section R327.2 Definitions – Wildland Urban Interface Fire Area – amended
15.06.045	Section R313.1 Townhouse automatic fire sprinkler system – amended
15.06.050	Section R313.1.1 Design and installation – amended
15.06.055	Section R313.2 One and two family dwellings automatic fire sprinkler systems – amended
15.06.060	Section R313.2.1 Design and installation – amended
15.06.065	Section R313.4 Vegetation management plan - added
15.06.070	Section R313.5 Sprinkler system supervision an alarms - added
15.06.075	Section R331.6 Solar photovoltaic disconnect – added
15.06.080	Section R331.7 Warning sign – added
15.06.085	Section R331.8 Required conduit - added
15.06.090	Section R902.1.3 Roof Coverings in All Other Areas

**15.06.010 Adoption of code.**

The 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5), with Division II of Chapter 1 and Appendix H, as based on the 2012 International Residential Code, and published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**15.06.015 Section 1.8.4.2 Fees & Section R108.2 Schedule of permit fees – amended and new Section R108.2.1 added.**

Section 1.8.4.2 “Fees” and Section R108.2 “Schedule of permit fees” are amended to read as follows:

1.8.4.2 Fees. The fee for each permit shall be as set forth by the latest resolution of the Town Council.

R108.2 Schedule of permit fees. The fee for each permit shall be as set forth by the latest resolution of the Town Council.

Section R108.2.1 “Plan review fees” is added to read as follows:

R108.2.1 Plan review fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review shall be 80 percent of the building fee. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate established by resolution of the Town Council.

**15.06.020 Section R108.6 Work commencing before permit issuance – amended and new Section R108.6.1 added.**

Section R108.6 “Work commencing before permit issuance” amended to read as follows:

R108.6 Work commencing before permit issuance. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be as set in subsection R108.6.1. The payment of such investigation fee shall not exempt any person from compliance with other provisions of this code nor any penalty prescribed by law.

Section R108.6.1 “Investigation fee for work commenced prior to obtaining a permit” is added to read as follows:

R108.6.1 Investigation fee for work commenced prior to obtaining a permit. Any person who commences any work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefor, shall pay in addition to any other penalty or fine, a special investigation fee equal to 20% of the market value of the project commenced without a permit. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

**15.06.025 Section R202 Definitions – Second Unit.**

Section R202 – Definitions is amended to add the definition of Second Unit to read as follows:

Second Unit – is a completely separate housekeeping unit with kitchen, sleeping, and bathroom facilities which is part of, an extension to, or a separate structure on a sited developed with a single family residence, in excess of the maximum density designated by the zoning district in which the property is situated or as prescribed thereby.

**15.06.030 Section R202 Definitions – Substantial Remodel.**

Section R202 – Definitions is amended to add the definition of Substantial Remodel to read as follows:

Substantial Remodel – shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty (50) percent of the existing floor area of the structure within any 36 month period. When any changes are made in the building, such as walls, columns, beams, girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, plies, or retaining walls or similar components, the floor areas of all rooms affected by such change shall be included in computing floor areas for the purpose of applying this definition. This



definition shall not apply to the replacement and upgrading of residential roof coverings as specified in Section 15.05.080.

**15.06.035 Section R327.2 Definitions – Hillside Lot Regulations**

Section R327.2 is amended to add the definition of “Hillside Lot Regulation” as follows:

Hillside Lot Regulation. – All areas within the limits of the Town of Ross that are within hillside areas, as defined in the Town of Ross Municipal Code Section 18.39.020, shall, in addition to all applicable requirements of Title 15 of the Ross Municipal Code, be subject to all conditions and provisions of Title 18, Chapter 18.39. Hillside Lot Regulations of the Ross Municipal Code.

**15.06.040 Section R327.2 Definitions – Wildland Urban Interface Fire Area**

Section R327.2 is amended to add the definition of “Wildland Urban Interface Area” as follows:

Wildland Urban Interface Fire Area - is a geographical area located within any Moderate, High, or Very High Fire Severity Zone as recommended by the CFD Director pursuant to Public Resources Code Sections 4201-4204 and Government Code Sections 51175-51189, in a Very High Fire Severity Zone of a local responsibility area (LRA) or as identified in WUI maps adopted by the Town Council.

**15.06.045 Section R313.1 Townhouse automatic fire sprinkler system – amended.**

Section R313.1 Townhouse automatic fire sprinkler system is amended to read as follows:

R313.1 – Townhouse automatic fire sprinkler system. An automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

Exceptions:

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.

- b. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.

2. In newly created second units.

3. In all buildings which have more than fifty percent (50%) floor area added or any “substantial remodel” as defined in this code, within any 36 month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.

4. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

**15.06.050 Section R313.1.1 Design and installation – amended.**

Section R313.1.1 Design and installation is amended to read as follows:

R313.1.1 - All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

- a. In all residential buildings required to be sprinkled any attached garages shall be sprinkled, and except for one and two family dwellings, in all residential occupancies the attics shall be sprinkled.
- b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.
- c. All single family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Chief.
- d. If an existing townhouse is equipped with an automatic fire sprinkler system, the automatic fire sprinkler system shall be extended to all areas of additions and alterations to the existing townhouse.

**15.06.055 Section R313.2 One and two family dwellings automatic fire sprinkler systems – amended.**

Section R313.2 One and two family dwelling automatic fire sprinkler systems is amended to read as follows:

R313.2 – One and two family dwelling automatic fire sprinkler system. An automatic fire sprinkler system shall be installed in all of the following:

- 1. Every newly constructed building and facility.

Exceptions:

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.
- b. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.

2. In newly created second units.

3. In all buildings which have more than fifty percent (50%) floor area added or any "substantial remodel" as defined in this code, within any 36 month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.

4. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

**15.06.060 Section R313.2.1 Design and installation – amended.**

Section R313.2.1 Design and installation is amended to read as follows:

R313.2.1 - All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

a. In all residential buildings required to be sprinkled any attached garages shall be sprinkled, and except for one and two family dwellings, in all residential occupancies the attics shall be sprinkled.

b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.

c. All single family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Chief.

d. If an existing one or two family dwelling is equipped with an automatic fire sprinkler system, the automatic fire sprinkler system shall be extended to all areas of additions and alterations to the existing townhouse.

**15.06.065 Section R313.4 Vegetation management compliance - added.**

Section R313.4 Vegetation management compliance is added to read as follows:

R313.4 A vegetation management plan shall be prepared for all new construction and substantial remodels located within a defined Wildland Urban Interface Area. The vegetation management plan shall be in compliance with the provisions of the California Fire Code and Chapter 14.04, Section 4906.4 of the Town of Ross Municipal Code. The Ross Valley Fire District shall be the responsible party for compliance inspection.

**15.06.070 Section R313.5 Sprinkler system supervision and alarms –added.**

Section R313.5 Sprinkler system supervision and alarms is added to read as follows:

R313.5 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Jockey pump control valves that are sealed or locked in the open position.
2. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
3. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
4. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

**15.06.075 Section R331.6 Solar photovoltaic disconnect – added.**

Section R331.6 Solar Photovoltaic Disconnect is added to read as follows:

R331.6 Solar photovoltaic disconnect. The electrical service disconnect for the alternative power supply shall be located within eight (8) feet from the main electrical service disconnect on the same or an adjacent exterior wall. The disconnect shall be accessible to emergency personnel from the exterior without the use of ladders or other special equipment.

Exception: Enphase or similar technology for solar equipment that de-energizes the system at the roof panels upon loss of A/C reference leaving no energized electrical potential inside the structure when the main breaker is tripped.

**15.06.080 Section R331.7 Warning Sign – added.**

Section R331.7 Warning Sign is added to read as follows:

R331.7. Warning Sign. The following wording shall be placed on a permanent sign attached at the main electrical disconnect. The sign shall be red background with white letters. Minimum size 2-1/2" X 6" with a minimum 22pt. font. Minimum size example below.

## **WARNING:**

**This building supplied with an alternative power source. Alternate disconnect is:  
(*describe location - on the right, below etc.*)  
of this main disconnect. Both must be used.**

### **15.06.085 Section R331.8 Required conduit – added.**

Section R331.8 Required conduit is added to read as follows:

R331.8 Required conduit. All wiring that may contain electrical potential when the alternate service disconnect has been activated, (such as the wiring between the solar arrays and the DC electrical disconnect on a photovoltaic system) shall be completely contained in metal conduit.

### **15.06.90 Section R902.1.3 Roof coverings within all other areas – amended.**

Section R902.1.3 "Roof coverings within all other areas" is amended to read as follows:

R902.1.3 Roof coverings within all areas. The roof covering on any structure regulated by this code shall be a Class A roof assembly as classified in Section 1505.2 of the California Building Code. An existing structure with an existing wood shake or shingle roof shall replace the entire roof with a Class A roof assembly when increasing the area of the existing roof by a third or more, or when repairing, altering or replacing one third or more of the existing roof area.

## **SECTION 6.**

The Town of Ross hereby adopts Chapter 15.07 to read as follows:

### **Chapter 15.07**

### **CALIFORNIA ELECTRICAL CODE**

#### **Sections:**

15.07.010 Adoption of code.

- 15.07.015 Subsection 230.79(C) One-Family Dwelling – amended.  
15.07.020 Paragraph 89.108.4.2 Fees – amended.

**15.07.010 Adoption of code.**

The 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3), with Article 89 and Appendices A, B, C, F, and G, as based upon the 2011 National Electrical Code and published by the National Fire Protection Association, 1 Batterymarch Park (P.O. Box 9146), Quincy, Massachusetts 02269-9959 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**15.07.015 Subsection 230.79(C) One-Family Dwelling – amended.**

Subsection (C) of Section 230.79 “One-Family Dwelling” is amended to read as follows:

(C) One-Family Dwelling. For a one-family dwelling, the service disconnecting means shall have a rating of not less than 100 amperes, 3-wire, under any condition.

**15.07.020 Paragraph 89.108.4.2 Fees – amended.**

Paragraph 89.108.4.2 Fees is hereby amended to read as follows:

89.108.4.2. Fees - Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

89.108.4.2.1. Investigation Fees: Work Without a Permit Any person who commences any electrical work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefor, shall pay in addition to any other penalty or fine, a special investigation fee equal to 20% of the market value of the project commenced without a permit. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

**SECTION 7.**

The Town of Ross hereby adopts Chapter 15.08 to read as follows:

**Chapter 15.08**

**CALIFORNIA MECHANICAL CODE\***

Sections:

- 15.08.010 Adoption of code.
- 15.08.015 Section 1.8.4.2 Fees & Sections 114.1 General, 114.2 Permit Fees, & 114.3 Plan Review Fees - amended.
- 15.08.020 Section 114.5.1 Fee – amended.

\* Prior ordinance history: Ords. 290 and 508.

**15.08.010 Adoption of code.**

The 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4), with Division II of Chapter 1 and Appendix "D", as based upon the 2012 Uniform Mechanical Code and published by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California, 91761-2816 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**15.08.015 Section 1.8.4.2 Fees & Sections 114.1 General, 114.2 Permit Fees & 114.3 Plan Review Fees – amended.**

Sections 1.8.4.2 "Fees," 114.1 "General," and 114.2 "Permit Fees" are each hereby amended to read as follows:

1.8.4.2 Fees. Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

114.1 General. Fees shall be assessed in accordance with the provisions of this section and the amount of the fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

114.2 Permit Fees. Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

Section 114.3 "Plan Review Fees" is amended to add the following sentence:

114.3 Plan Review Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

**15.08.020 Section 114.5.1 Fee – amended.**

Section 114.5.1 "Fee" is hereby amended to read as follows:

114.5.1 Special investigation Fee. Any person who commences any mechanical work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefor, shall pay in addition to any other penalty or fine, a special investigation fee equal to 20% of the market value of the project commenced without a

permit. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

## **SECTION 8.**

The Town of Ross hereby adopts Chapter 15.09 to read as follows:

### Chapter 15.09

#### CALIFORNIA PLUMBING CODE

#### Sections:

- 15.09.010 Adoption of code.
- 15.09.015 Section 713.0 Sewer Required – amended.
- 15.09.020 Section 1.8.4.2 Fees & Sections 103.4 Fees & 103.4.1 Plan Review Fees – amended.
- 15.09.025 Section 103.4.3.1 Fees – amended.

#### 15.09.010 Adoption of code.

The 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5), with Division II of Chapter 1 and Appendices A, B, D, and I, as based upon the 2012 Uniform Plumbing Code and published by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California, 91761-2816 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

#### 15.09.015 Section 713.0 Sewer Required – amended.

Section 713.1 "Where Required" is amended as follows:

Section 713.1 Where Required. Every building in which plumbing fixtures are installed and every premises having drainage piping thereon shall comply with all requirements of Chapter 13.04 Sewage Disposal of the Ross Municipal Code.

Section 713.2 is hereby repealed.

Section 713.3 is hereby repealed.

Section 713.4 is hereby repealed.



Section 713.7 is hereby repealed.

**15.09.020 Section 1.8.4.2 Fees & Sections 103.4 Fees & 103.4.1 Plan Review Fees – amended.**

Section 1.8.4.2 “Fees” and Section 103.4 “Fees” are hereby amended to read as follows:

1.8.4.2 Fees. Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

103.4 Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule adopted by the latest resolution of the Town Council.

Section 103.4.1 “Plan Review Fees” is hereby amended to read as follows:

103.4.1 Plan Review Fees. Where a plan or other data is required to be submitted by Section 103.2.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees specified in this subsection are separate from and in addition to the other permit fees specified this section. The plan review fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council. Where plans are incomplete or changed so as to require additional review, a fee may be charged as set forth in the Town’s resolution.

**15.09.025 Section 103.4.3.1 Fees – amended.** Paragraph 103.4.3.1 Fees is hereby amended to read as follows:

103.4.3.1 Any person who commences any plumbing work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefor, shall pay in addition to any other penalty or fine, a special investigation fee equal to 20% of the market value of the project commenced without a permit. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

**SECTION 9.**

The Town of Ross hereby adopts Chapter 15.10 to read as follows:

**Chapter 15.10**

**CALIFORNIA ENERGY CODE**

**Sections:**

15.10.010 Adoption of code.

**15.10.010 Adoption of code.**

The 2013 California Energy Code (California Code of Regulations, Title 24, Part 6), with appendix 1-A, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**SECTION 10.**

The Town of Ross hereby adopts Chapter 15.11 to read as follows:

**Chapter 15.11**

**CALIFORNIA HISTORICAL BUILDING CODE**

**Sections:**

15.11.010 Adoption of code.

**15.11.010 Adoption of code.**

The 2013 California Historical Building Code (California Code of Regulations, Title 24, Part 8), with appendix A, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**SECTION 11.**

The Town of Ross hereby adopts Chapter 15.12 to read as follows:

**Chapter 15.12**

**CALIFORNIA FIRE CODE**

**Sections:**

15.12.010 Adoption of code.

**15.12.010 Adoption of code.**

See Title 14, Section 14.04.010 of the Ross Municipal Code for the adoption of the 2013 California Fire Code along with all local amendments as noted in Chapter 14.04 of the Town of Ross Municipal Code. A copy of this document is maintained in the office of the Building Official.

## **SECTION 12.**

The Town of Ross hereby adopts Chapter 15.13 to read as follows:

### **Chapter 15.13**

#### **CALIFORNIA EXISTING BUILDING CODE**

##### **Sections:**

15.13.010 Adoption of code.

##### **15.13.010 Adoption of code.**

The 2013 California Existing Building Code (California Code of Regulations, Title 24, Part 10), published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

## **SECTION 13.**

The Town of Ross hereby adopts Chapter 15.14 to read as follows:

### **Chapter 15.14**

#### **CALIFORNIA GREEN BUILDING STANDARDS CODE**

##### **Sections:**

15.14.010 Adoption of code.

15.14.015 Tier Voluntary Measures

##### **15.14.010 Adoption of code.**

The 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), including appendices A4 and A5, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

##### **15.14.015 Tier Voluntary Measures.**

All voluntary and Tier requirements and measures of Appendices A4 and A5 are not

adopted as being mandatory but may be included in any level or degree by voluntary choice of the owner or applicant of any permit.

#### **SECTION 14.**

The Town of Ross hereby adopts Chapter 15.15 to read as follows:

##### Chapter 15.15

##### CALIFORNIA REFERENCED STANDARDS CODE

##### Sections:

15.15.010 Adoption of code.

##### 15.15.010 Adoption of code.

The 2013 California Referenced Standards Code (California Code of Regulations, Title 24, Part 12), published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

#### **SECTION 15.**

The Town of Ross hereby adopts Chapter 15.16 to read as follows:

##### Chapter 15.16

##### 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

##### Sections:

15.16.010 Adoption of code.

15.16.020 Conflicts

##### 15.16.010 Adoption of code.

The 1997 Uniform Code for the Abatement of Dangerous Buildings, published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Department.

##### 15.16.020 Conflicts.

In the event of any conflicts between the 1997 Uniform Code for the Abatement of Dangerous Buildings and the provisions and requirements of the California Building Standards Code, California Code of Regulations, Title 24, Parts 1 through Part 12, as adopted and amended

in Title 15 of the Ross Municipal Code, the provisions of the California Building Standards Code (Cal. Code of Regs., Title 24, Part 1 through Part 12), as amended, shall apply.

## **SECTION 16.**

The Town of Ross hereby adopts Chapter 15.17 to read as follows:

### **Chapter 15.17**

#### **1997 UNIFORM HOUSING CODE**

##### **Sections:**

- 15.17.010      Adoption of code.**
- 15.17.020      Conflicts**

##### **15.17.010 Adoption of code.**

The 1997 Uniform Housing Code, published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Department.

##### **15.17.020 Conflicts.**

In the event of any conflicts between this Code and the provisions and requirements of the California Building Standards Code, California Code of Regulations, Title 24, Parts 1 through Part 12, as adopted and amended in Title 15 of the Ross Municipal Code, the provisions of the California Building Standards Code (Cal. Code of Regs., Title 24, Part 1 through Part 12), as amended, shall apply.

## **SECTION 17.**

The Town of Ross hereby adopts Chapter 15.18 to read as follows:

### Chapter 15.18

#### DILAPIDATED BUILDINGS\*

##### Sections:

15.18.010	Definition of public nuisances.
15.18.020	Manner of notification.
15.18.030	Nuisance abatement notice form.
15.18.040	Posting of notice.
15.18.050	Filing of affidavit.
15.18.060	Hearing by council.
15.18.070	Failure to appear.
15.18.080	Copy of resolution.
15.18.090	Court action.
15.18.100	Enforcement.
15.18.110	Disposition of material.
15.18.120	Expenses.
15.18.130	Certified copy expenses.
15.18.140	Lien on real property.
15.18.150	Owner defined.

15.18.010 Definition of public nuisances. For the purposes of this chapter a building constituting a menace to public safety, and constituting a public nuisance is defined as follows:

(1) Any building or other structure situated within the town, of wood frame construction, or so constructed as to more than ordinarily endanger the safety of persons therein in case of fire, or so situated as to more than ordinarily endanger buildings or property in the vicinity in case of fire, or so constructed or situated as to render the same peculiarly susceptible to fire, from within or without; or

(2) Any building or other structure in the town which by reason of rot, weakened joints, walls, floors, underpinning, roofs, ceilings, insecure foundations, or other cause, has become so dilapidated or deteriorated from old age or neglect as to be a fire menace or a breeding place for rodents or a likely resort for vagrant or dissolute persons. (Prior code §9500).

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\* For state law empowering towns to provide for the abatement, destruction or removal of unsafe structures, see Gov. C.A. §38660.  
For state law pertaining to nuisances and their abatement, see Gov. C.A. §§38771 and 38773.5.

15.18.020 Manner of notification. Whenever the building official finds any building or structure so dilapidated as stipulated in Section 15.08.010, he shall give notice directing the owner thereof to appear before the town council at a stated time and show cause why the building or structure should not be condemned as a public nuisance and the nuisance be abated as provided in this chapter. The notice shall be headed "NOTICE TO ABATE NUISANCE" in letters of not less than three-quarters of an inch in height, and shall be substantially in the form provided in Section 15.08.030. (Prior code §9501).

15.18.030 Nuisance abatement notice form. The form for the notice to abate a dilapidated building shall be as follows:

**"NOTICE TO ABATE NUISANCE**

The owner of the dilapidated building or structure situated at \_\_\_\_\_, in the Town of Ross, is hereby notified to appear before the Town Council at its meeting to be held \_\_\_\_\_, 20\_\_\_\_ at the Council Chamber in the Town Hall in said Town of Ross at the hour of 8:00 o'clock P.M., or as soon thereafter as he may be heard, and show cause, if any he has, why said building or structure should not be condemned as a public nuisance and said nuisance be abated by reconstructing or properly repairing said building or structure, or by razing or removing the same.

Dated: Ross, California

\_\_\_\_\_, 20\_\_\_\_"  
(Prior code §9502).

15.18.040 Posting of notice. The building official shall post conspicuously at least one copy of the notice designated in Section 15.08.030 on the building or structure sought to be so condemned. He shall also send another copy by registered mail (postage prepaid), addressed to the person who is named as the owner on the books of the town assessor, in case the address of such person is known to him. The failure to mail such notice or the failure of any owner to receive the same shall not affect in any manner the validity of any proceedings taken under this chapter, providing the notice has been posted. The notice must be posted as stipulated in this section at least ten days before the time fixed for the hearing before the town council. (Prior code §9503).

15.18.050 Filing of affidavit. Upon giving notice as provided in Section 15.08.040, the building official shall file an affidavit with the town clerk certifying to the time and manner in which the same was done. He shall also file therewith any receipt card which may have been mailed back to him in acknowledgment of the receipt of the notice by registered mail, providing he mailed the notice in addition to posting it. (Prior code §9504).

15.18.060 Hearing by council. At the time fixed in the notice, the council shall proceed to hear the testimony of the building official and the testimony of the owner and other competent persons, respecting the condition of the building or structure sought to be condemned, and the estimated cost of its reconstruction, repair or removal, after which the

council may condemn it and order its razing or removal, or take such other action in the premises as they may deem advisable. The council may continue the hearing from time to time.

15.18.070 Failure to appear. If the owner fails to appear at the time fixed for the hearing, or the time to which the hearing may have been continued, the council shall proceed to hear the testimony of the building official and other competent persons respecting the condition of the building or structure, after which they may pass a resolution declaring the building or structure to be a public nuisance and directing the owner to abate the nuisance within thirty days from the passage of the resolution, by having the building or structure properly reconstructed or repaired, or by having the same razed or removed, and notifying him that if the nuisance is not so abated, the building or structure will be razed or removed by the building official and the expense thereof made a lien on the lot or parcel of land from which it was removed. (Prior code §9506).

15.18.080 Copy of resolution. Upon the passage of the resolution described in Section 15.18.070, the building official shall post a copy thereof conspicuously on the building or structure so condemned and mail another copy to the person named as the owner on the books of the town assessor, if this address is known to him, after which he shall file his affidavit with the town clerk certifying to the time and manner of posting a copy of the resolution, and also as to the mailing of a copy in case a copy was mailed. (Prior code §9507).

15.18.090 Court action. Any owner or other interested person having any objections, or feeling aggrieved at any proceeding taken by the town council in condemning any such building or structure, must bring an action in a court of competent jurisdiction within thirty days after passage of the resolution to contest the validity of the proceedings taken by the council, otherwise all objections will be deemed waived. (Prior code §9508).

15.18.100 Enforcement. Thirty days after posting a copy of the resolution declaring a building or structure a public nuisance as provided in this chapter, the building official shall be deemed to have acquired jurisdiction to abate the nuisance by razing or removing the building or structure so condemned and, unless the nuisance is abated by the owner or his agent in the meantime, the building official shall thereupon raze and remove the condemned building or structure or have the same done under his direction and supervision. (Prior code §9509).

15.18.110 Disposition of material. The lumber and any other materials contained in any building or structure condemned under the provisions of this chapter shall be sold by the building official at public auction, after not less than five days notice thereof posted in three public places in the town, either before or after the building or structure has been razed or removed, and the amount received from the sale of the lumber and materials shall be deducted from the expense of razing or removing the same. (Prior code §9510).

15.18.120 Expenses. The building official shall keep an itemized account of the expenses involved in the razing or removal of any building or structure condemned under the provisions of this chapter, and deduct therefrom the amount received from the lumber and materials. He shall then post conspicuously on the property from which the building or structure was removed a verified statement of the gross and net expense of razing or removing



the building or structure, together with a notice of the time and place when and where the statement shall be submitted to the town council for approval and confirmation. He shall mail another copy of the statement and notice to the person named as the owner on the books of the town assessor, if this address is known to him, after which he shall file his affidavit with the town clerk certifying to the time and manner of posting the statement and notice, and also as to the mailing of a copy in case a copy was mailed. The time for submitting the statement to the council for confirmation shall not be less than five days from the posting of the statement and notice as provided in this chapter. (Prior code §9511).

15.18.130 Certified copy expenses. At the time fixed for hearing on the statement of expense the council shall consider the statement and such objections as may be offered against it, whereupon it shall modify, amend or confirm the same as submitted; provided, it may continue the hearing from time to time. When finally confirmed, the town clerk shall transmit a certified copy to the town assessor and another to the town tax collector. (Prior code §9512).

15.18.140 Lien on real property. Upon final confirmation of an expense statement, the expense of abating *any* such nuisance, less any money received from lumber or other materials, shall constitute a lien on the real property upon which the same was abated or removed, and the amount thereof shall be added to the next succeeding tax bill against the property, and shall be collectible at the same time and in the same manner as general municipal taxes are collected, and shall be subject to the same penalties and procedure in case of delinquency. Provided that *if* the amount received from lumber or other materials shall in any case exceed the expense of razing or removing such building or structure then, and in that event, such excess shall be deposited with the town treasurer to the credit of the owner and be payable to him on demand. (Prior code §9513).

15.18.150 Owner defined. For the purpose of this chapter, the word "owner" means and includes the person or persons owning the fee, or their agents, executors, administrators or guardians. (Prior code §9514).

## **SECTION 18.**

The Town of Ross hereby amends Chapter 15.24 to read as follows:

### Chapter 15.24

#### GRADING, EXCAVATIONS AND FILL\*

##### Sections:

- |           |                                      |
|-----------|--------------------------------------|
| 15.24.010 | Permit required.                     |
| 15.24.020 | Application for a permit.            |
| 15.24.030 | Procedure.                           |
| 15.24.040 | Bond and certificate of insurance.   |
| 15.24.050 | Suspension and revocation of permit. |
| 15.24.060 | Inspections.                         |
| 15.24.070 | Penalty for violation.               |

**15.24.010 Permit required.** It is unlawful for any person to commence or perform any grading, excavation, or fill within the town without first having secured a permit for such work; provided, however, that no permit shall be required for the following exceptions:

- (1) Excavation for a building foundation, basement of a building, or swimming pool for which a building permit has been issued, provided however that this exemption does not extend to excavations or fill for necessary site preparation;
- (2) Excavations by a public utility for the installation, operation, inspection, repair or replacement of any of its facilities;
- (3) Grading in subdivisions in accordance with plans approved by the town council;  
(Prior code §3703).

**15.24.020 Application for a permit.** An applicant for a grading permit shall file an application therefor with the town clerk, accompanied by the required fee. Each application shall contain the following:

- (1) Name and address of the applicant, and person or persons responsible for the correctness of the work to be done;
- (2) Description of the property upon which the work is to be done sufficient to readily identify the location;
- (3) Duplicate copies of plans and specification of the proposed work including:
  - A. Contour maps showing the present contours of the land, and the proposed contours of the land after completion of the proposed work;
  - B. Plot plan showing the boundaries, lot lines, neighboring public ways, and the location of all work;

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\* See also Ch. 12.04 of this code.

- C. Description of the type and classification of the soil;
- D. Details and location of all retaining walls, cribbing, drainage structures, piping, and such further information as may be required by the town engineer;
- E. Proposed dates for the commencement and completion of the work.
- F. All plans and specifications shall show compliance with the provisions of the California Building Code Part 2, Volume 2, Chapter 18 and Appendix "J" and all applicable adopted town standards.

(4) Exception: The town engineer may in his discretion waive the requirements for all or any of the plans and specifications heretofore specified, if he finds that a lesser amount of information will suffice to conform to the provisions and spirit of this chapter. (Prior code §3704).

**15.24.030 Procedure.** (a) The clerk shall refer the application to the town engineer, who shall inspect the site, review the plans and specifications, and make his recommendations. The engineer shall take into consideration all pertinent matters concerning the proposed work which may affect the public health, safety, and general welfare in the neighborhood, and shall exercise reasonable and sound discretion. The engineer may require the applicant to furnish any additional information including, but not limited to, soil tests and any other engineering data at his sole discretion.

(b) The granting of the application shall be recommended unless it appears to the engineer that the proposed work would:

- (1) Remove the lateral or subjacent support of the adjacent land; or
- (2) Result in a dangerous topographic condition; or
- (3) Result in seepage or slides; or
- (4) Divert the flow of drainage water; or
- (5) Cause, aggravate, or increase a nuisance dangerous to public safety; or
- (6) Otherwise in any manner endanger the public health or safety; or
- (7) Be detrimental to the public welfare despite all precautions that the applicant is ready, willing and able to take.

(c) The engineer shall recommend either:

- (1) Granting the permit, with or without modification and upon such condition or conditions as he deems necessary to carry out the intent of this ordinance; or
- (2) Deny the application in whole or in part.

(d) Upon receipt of the engineer's recommendation, the clerk shall act on the application in accordance with that recommendation. Should the application be denied, or should the engineer recommend the application be modified, the clerk shall immediately notify the applicant, stating the reasons why.

(e) In the event that the applicant is not satisfied with the determination of the town engineer, the applicant may appeal to the town council for relief by filing a notice of appeal with the clerk, who shall thereupon set the matter for a hearing by the town council within forty-five days from the date of the filing of the notice. (Prior code §3705).

**15.24.040 Bond and certificate of insurance.** The town may require as a condition of the granting of any permit hereunder, that the applicant deposit with the town a surety bond, in an

amount to be fixed by the town council, inuring to the benefit of the town, guaranteeing that the applicant will faithfully perform all of the conditions and requirements specified in the permit. The surety bond shall be executed by sureties approved by the town as being sufficient in number and financial responsibility. The town may also require as a condition to the granting of a permit that the applicant deposit with the town clerk a certificate of a responsible insurance company showing that the applicant is insured in an amount to be fixed by the town against any loss or damage to persons or property arising directly or indirectly from the operations of the applicant or any person acting in his behalf in carrying on any operation connected directly or indirectly with the making of the fill or excavation, or the removal of the excavated materials for which the permit is issued. (Prior code §3706).

15.24.050 Suspension and revocation of Permit. If, in the opinion of the town engineer, the public health, safety or welfare require it, the town engineer shall immediately suspend any permit granted under this ordinance.

Any permit granted hereunder may be revoked or suspended:

- (1) For any reason for which the permit might have been denied; or
- (2) For failure of permittee to comply with all the terms and conditions of the permit.

Any permittee having a permit so suspended or revoked may appeal the action to the town council by following the procedure set forth in Section 15.24.030. (Prior code §3707).

15.24.060 Inspections. The town engineer shall make such inspections as he may deem necessary in each individual case, taking into consideration the complexity of the work to be performed. The permittee shall pay to the town, in addition to the aforesaid application fee, the actual costs of such inspections, and shall deposit with the town clerk, upon making application for a permit, the engineer's estimate of the costs of inspection. (Prior code §3708).

15.24.070 Penalty for violation. Any violation of any of the provisions of this chapter shall be a misdemeanor and punishable as provided in Section 1.04.010, and where such violation creates a nuisance, the additional remedies provided by Chapter 9.04 of this code, and by the laws of the state, shall likewise be applicable. (Prior code §3709).

## **SECTION 19.**

The Town of Ross hereby amends Chapter 15.56 to read as follows:

### Chapter 15.56

#### DISASTER RECOVERY AND RECONSTRUCTION

##### Sections:

- |           |                                                    |
|-----------|----------------------------------------------------|
| 15.56.010 | Purposes.                                          |
| 15.56.020 | Involuntarily Damaged or Destroyed Dwelling Units. |
| 15.56.030 | Submittal Requirements.                            |

- 15.56.040 Landscape Screening.
- 15.56.050 Penalties for Noncompliance.
- 15.56.060 Appeal.

15.56.010 Purposes. The implementation of consistent standards and removal of unreasonable barriers, including design review for aesthetic purposes, to achieve the timely repair and replacement of residences after a disaster is a matter of Town concern. The purposes of this chapter are to authorize in advance of a disaster a process to expedite recovery and reconstruction in order to assist residents in returning to their homes after such an event. It is the Town's intent to encourage the reconstruction of like-kind residences by removing obstacles to their reconstruction. (Ord. 634 (part), 2012).

15.56.020 Involuntarily Damaged or Destroyed Dwelling Units. The town building official may permit the repair, reconstruction, restoration, or rebuilding of any single-family dwelling that is involuntarily damaged or destroyed. No prior Town Council discretionary review or a public hearing that may otherwise be required under Title 18, including variance, design review, hillside lot or other approvals, shall be required, provided that all of the following criteria are met:

(1) The applicant provides documentation, satisfactory to the building official, supporting the claim that the damage or destruction occurred involuntarily.

(2) Except as otherwise provided by this section, the project will comply with all codes and standards adopted by the Town of Ross, including the California Building Standards Code and local amendments, and any more restrictive local building standards in effect at the time of repair or reconstruction, including access, water supply, improvements to the lateral support system, weather proofing and/or sound proofing. In addition, all new structures shall comply with California Building Standards Code Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure) where applicable per the adopted WUI map or other adopted Town Standard. The building official may apply the State Historical Building Code (Part 2.7 (commencing with Section 18950) of Division 13 of the California Health and Safety Code) for work on qualified historical buildings or structures.

(3) The building is reconstructed to the same configuration, floor area, lot coverage, height, appearance and use as the original building or structure, except as otherwise required by this section. The building official may consult with the town planner to make this determination.

(4) The building will conform to the Flood Damage Prevention Chapter 15.36 and National Flood Insurance Program (NFIP) requirements and procedures. With the exception of garage space, any residential building located in a Special Flood Hazard Area shall have a finished floor elevated above the base flood elevation and up to two feet above the base flood elevation. The building official may permit the structure to be modified to meet the

requirements of this subsection. The building official may permit necessary landings and stairs to grade even if the landings and stairs do not comply with zoning regulations such as lot coverage or setbacks.

(5) No portion of the building or structure will encroach into a right of way.

(6) If the structure is a historic building or structure, the repair or reconstruction will comply with the most recent United States Secretary of Interior Standards for the Treatment of Historic Property (36 C.F.R. Part 68).

(7) The application for reconstruction is filed within six months after the event of its damage or destruction, unless the town council grants an extension to the six month time period due to special circumstances justifying the delay in filing an application.

(8) The reconstruction is not detrimental or injurious to the health, safety, or general welfare of persons residing or working in the neighborhood, or will not be detrimental or injurious to property and improvements in the neighborhood.

(9) The application does not involve reconstruction or substantial improvement of structures that are located within 5 feet of a property line or 25 feet of the top bank of a creek.

(10) Complete demolition and reconstruction will only be permitted if the structure has been substantially damaged. For this chapter only, a structure shall be considered substantially damaged when the cost of repair is greater than 50 percent of the replacement cost of the structure. Replacement cost is the cost of replacing the structure in kind, up to all applicable codes. The applicant shall submit a detailed cost estimate for the project prepared by an estimator certified by the American Society of Professional Estimators or other professional satisfactory to the building official. (Ord. 634 (part), 2012).

**15.56.030 Submittal Requirements.** The town may establish specific forms and submittal requirements to ensure that an applicant provides documentation satisfactory to the building official to establish the configuration, floor area, lot coverage, height, appearance and use of the structure prior to the disaster and to demonstrate that it was lawfully established. The documentation shall include details on the size and style of exterior siding, roofing, trim, windows and colors sufficient for the building official to determine that the proposed structure will be replaced in-kind. Photographs or detailed plans depicting each elevation of a structure filed with the town prior to the disaster shall satisfy the requirement regarding the appearance of the structure. The applicant shall sign a statement under penalty of perjury that the documentation is true and correct. The town may establish written policies regarding acceptable exterior changes, such as replacing single-pane windows with double-pane windows. (Ord. 634 (part), 2012).

**15.56.040 Landscape Screening.** The building official, in consultation with the town planner, may impose requirements for the installation of new screening landscaping in order to

replace necessary screening landscaping lost by the involuntary disaster or to minimize aesthetic impacts from elevated structures. Any decision by the building official regarding landscape screening may be appealed to the town council pursuant to the procedures set forth in Chapter 18.60. The appeal must be filed prior to project final. (Ord. 634 (part), 2012).

**15.56.050 Penalties for Noncompliance.** The building official may suspend or revoke a permit any time prior to construction completion if, based on substantial evidence, the building official determines that the applicant submitted false, inaccurate or misleading documentation or misrepresented information in the application regarding the configuration, floor area, lot coverage, height, appearance and use of the structure prior to the disaster or if the construction differs from, or in any way exceeds, the work authorized by the building permit. The building official may require the property owner to demolish improvements that do not comply with paragraph 15.56.020(a)(3) above. The property owner may also be subject to fines, penalties and other punishments provided by law. (Ord. 634 (part), 2012).

**15.56.060 Appeal.** Any decision by the building official under this chapter may be appealed by the applicant to the town council pursuant to the procedures set forth in Chapter 18.60. (Ord. 634 (part), 2012).

**SECTION 20.** That nothing in this legislation hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of the law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**SECTION 21. Compliance with the California Environmental Quality Act:** The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 22. Severability:** If any section or provision of this Ordinance or the application thereof to any person or circumstances is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase hereof not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

**SECTION 23. Effective Date and Posting:** This Ordinance shall be effective 30 days following its adoption by the Town Council or January 1, 2014, whichever is later. Before the expiration of fifteen (15) days after its passage, this ordinance, or a summary thereof as provided in

California Government code Section 36933, shall be posted in at least three public places in the Town of Ross, along with the names of the members of the Town Council voting for and against its passage.

The foregoing ordinance was introduced at a regular meeting of the Town Council of the Town of Ross held on the 14<sup>th</sup> day of November, 2013 and was therefore adopted at the regular meeting of the Ross Town Council held on the 12<sup>th</sup> day of December, 2013 by the following vote of the Council:

**AYES:** Council Members Kuhl, Hoertkorn, Russell, Small

**NOES:** Council Member Brekhus

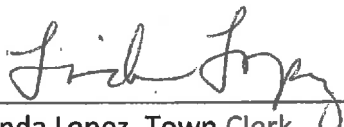
**ABSENT:**

**ABSTAIN:**



P. Beach Kuhl, Mayor

**ATTEST:**



Linda Lopez, Town Clerk



## **EXHIBIT A**

### **FINDINGS OF FACT AND NEED FOR CHANGE OR MODIFICATIONS TO THE STATE BUILDING STANDARDS CODE BECAUSE OF LOCAL CONDITIONS**

#### **CHANGES OR MODIFICATIONS**

Pursuant to Section 17958.5, 17958.7 and 18941.5 of the State of California Health and Safety Code, the Town Council of the Town of Ross in its ordinances adopting and amending the 2013 California Building Standards Code (Cal. Code of Regs., Title 24), changes or modifies certain provisions of the 2013 California Administrative Code, the 2013 California Building Code (CBC), the 2013 California Residential Code (CRC), the 2013 California Electrical Code (CEC), the 2013 California Mechanical Code (CMC), the 2013 California Plumbing Code (CPC), the 2013 California Energy Code, the 2013 California Historical Building Code, the 2013 California Existing Building Code, the 2013 California Green Building Standards Code, and the 2013 California Referenced Standards Code. A copy of the text of such changes or modifications is attached.

Pursuant to Sections 17958.5, 17958.7, and 18941.5 of the State of California Health and Safety Code, the Town Council of the Town of Ross has determined and finds that the attached changes or modifications to the 2013 California Building Standards Code are needed and are reasonably necessary because of local climatic, geographic and topographic conditions.

#### **PROFILE OF THE TOWN OF ROSS**

The Town of Ross encompasses an area of 1.6 square miles with a resident population of approximately 2450. The physical location of the Town is in the central part of Marin County, in the central portion of the Ross Valley.

The placement of commercial development has been limited to the valley floor area with the residential communities extending out and up into the steep canyons and hills which surround the valley on both the north and south sides.

Travel into and out of the area is accomplished through two lane roads, which are the main arteries of commuter traffic to the bay area commercial centers.

The Town Council recognizes the fact that Marin County has been plagued many times in the late 1800's and early 1900's by brush and forest fires which not only threaten destruction, but on a number of occasions devastated large portions of communities. The desire of the community to preserve natural vegetation has resulted in the encroachment of brush and grass on fire roads, trails, breaks and streets within the Town, thus rendering such separations ineffective against the spread of fires and safe egress. Natural growth, which is highly flammable during the drier months of the year, encroaches upon many properties, thus posing a potential fire threat to many structures and creating a substantial hindrance to the control of such fires.

With the given profile of the Town of Ross and the subsequent research being conducted by members of the Ross Valley Fire Department staff, the Town has established certain requirements, which were developed to increase the level of safety and reduce the level of exposure to the citizens of the Town as well as protect the buildings (investments) within its boundaries. The following points were established as factors which caused concern and are herein established and submitted as the "Findings of Fact":

## **1. CLIMATIC**

- a. **Precipitation.** The normal year's rainfall is approximately 30 to 50 inches on the average calendar year. The area has been subject to extended periods of drought and less than normal rainfall as well as intense rains, which have caused local flooding and damage from geotechnical failure (landslides). Approximately ninety percent (90%) of the annual rainfall is experienced during the months of November through April, and 10% from May through October.
- b. **Relative Humidity.** Moisture in the air, also known as relative humidity, changes significantly during any given day. Humidity generally ranges from 50% during daytime hours to 85% at night. It drops to 30% during the summer months and occasionally drops lower. During periods when the area experiences easterly hot, dry winds, the relative humidity drops significantly, thus creating a greater danger.
- c. **Temperatures.** Average summer highs are in the 75 degree to 85 degree range. There are weather periods where temperatures can rapidly reach 100 degrees and have been recorded even higher.
- d. **Winds.** Prevailing winds are generally from the West. However, winds are experienced from virtually every direction at one time or another, due to topography. Velocities are generally in the 5 – 15 mph range, gusting to 10 – 30 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.
- e. **Summary.** The climate (weather patterns) within the Town of Ross is predominantly affected by the marine influence of the Pacific Ocean. During the summer months, the southerly exposed slopes and open fields become dry with seasonal grasses, which present a fuel for the rapid spread of fire. The Northerly slopes are heavily wooded and present a moderate to heavy fuel load with respect to fire danger. These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions. Furthermore, winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another and wildland areas. All water storage and supply comes from reservoirs and lakes within the county, and are affected by the climate accordingly.

## **2. GEOGRAPHICAL and TOPOGRAPHICAL**

**a. Geographical Features.** The geographical features in and around the Town of Ross are a source of enjoyment for our residents. The hills and valleys give a natural beauty to the area with forested hills and golden yellow meadows leading up to them. These geographic features form the backdrop for the residential and commercial communities and dictate the locations of roadways and building locations. These geographic features also create barriers, which negatively affect accessibility and influence fire behavior during major conflagrations. Many structures (new and old) are constructed of highly combustible material, which offer little resistance to fire and could contribute to the spread of fire. For practical and cost reasons, new structures are built of wood (type V) construction. The potential for conflagration exists with the density of the various specific areas of the Town. The concentrated commercial, as well as residential occupancies, causes concern when considering the "exposure" elements of building to building to grass and brush areas of the Town.

**b. Seismic Location.** The Town of Ross lies within the recognized seismic zone #4, which is the most dangerous zone. While the area has experienced several significant seismic events, there has been a minimum of damage. The Town sits between two active earthquake faults (San Andreas and Hayward) and numerous potentially active faults. The potential for great damage exists, and must be considered as a real threat to be planned for.

**c. Size and Population.** The Town of Ross encompasses an area of 1.6 miles with a resident population of approximately 2450. The Town is served by the Ross Valley Fire Department. Ross Valley Fire has four (4) stations (two of which are in San Anselmo, one in Fairfax, and one in Ross), 33 fire personnel (serving the Towns of Fairfax, San Anselmo, Ross and the Sleepy Hollow Fire Protection District), with diverse responsibilities including wildland, urban, and paramedical.

**d. Roads and Streets.** Several of the heavily populated areas have limited roadways and escape routes. The Town of Ross has numerous narrow, winding roads, some barely passable with modern fire apparatus, causes access problems and extended travel times especially in the older hillside sections of the jurisdiction. The accessibility for fire department apparatus is of concern due to the lack of turnouts and roadway widths which increases response time.

**e. Topography.** The Department's service area is a conglomeration of oak plains, hills, valleys and ridges. The flatter lands are found in the center portion of the service area and approximately half of the residential development is in this area. The other half of the service area with residential development consists of hillsides with slopes ranging from approximately 15-30% and 30+%. These hazardous conditions present an exceptional and continuing fire danger to the residents of the community due to the difficulty of the terrain and topography of the area, much of it consisting of boxed canyons with steep, brush covered slopes; narrow winding streets used by residents of the area and the Fire Department for ingress and egress, steep hills which hinder Fire Department

response time; older and inadequate water systems in certain areas of the community; and the location of buildings and structures with relation to these dangerous areas. The water supply for domestic and fire flow systems within this Town are directly affected by the topographical layout of the Town. The supply of water comes from lakes, which are managed by a public utilities district responsible for maintaining an adequate supply. The water distribution system within the Town is very old in some areas served by mains, which are inadequate in size to provide water for fire protection. The valley floor is served by mains which contain an exceptionally large volume of water for fire protection. The Town of Ross has a base elevation of approximately 35 feet and extends to areas in excess of 900 feet above sea level.

**f. Vegetation.** The Town Council recognizes that the Town of Ross has within its borders and along its boundaries, significant areas of grass, brush and heavily forested lands. In addition, the natural vegetation of the area has been altered by the addition of ornamental trees and shrubs, which are not native and add fuel around the houses and buildings of our community. The south facing exposure is primarily annual grasses, highly flammable brush, with occasional clumps of bay and oak trees in the more sheltered pockets. The north facing slopes are heavily wooded from lower elevations to ridge with oak and bay trees and minor shrubs of the general chaparral class. Expansion of the residential community into areas of heavier vegetation has resulted in homes existing in close proximity to dense natural foliage. Often such dwellings are completely surrounded by highly combustible vegetation compounding the fire problem from a conflagration point of view. Of particular recent notice is the increase in dead down fuel and ladder accumulation directly associated with the sudden oak death syndrome.

### **Summary**

The above local geographic and topographic conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Fire Department.

Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

The valley floor has zones recognized by the Federal Emergency Management Agency as flood zones. During times of intense rainfall, flooding and landslides have occurred which have destroyed structures and threatened lives. Within the past decade, these events have caused the local government to declare disasters and seek state and federal assistance.

Some of the existing structures in the commercial areas of the Town lack the required firewall separation. These structures cause concern to the Fire Department because of the potential for major conflagration. As these structures are replaced, the exposure potential will be significantly reduced.

Several other variables may tend to intensify an incident, such as, the extent of damage to the water system; the extent of roadway damage and/or amount of debris blocking the roadways; climatic conditions (hot, dry weather with high winds); time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and the availability of timely mutual aid or military assistance.

### **Conclusion**

Local climatic, geographic and topographic conditions impact fire prevention efforts, and the frequency, spread, acceleration, intensity, and size of fire involving buildings in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore it is found to be reasonably necessary that the California Fire Code, International Wildland-Urban Interface Code, and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

Furthermore, California Health and Safety Code Section 17958.7 requires that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the Town of Ross finds that the following table provides code sections that have been modified pursuant to Town of Ross Ordinance No. 646 which are building standards as defined in Health and Safety Code Section 18909, and the associated referenced conditions for modification due to local climatic, geological and topographical reasons.

<b>Section Number</b>	<b>Local climatic, geological and topographical conditions</b>
CBC 202	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 701A.5	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 702A	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 902	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 903.2	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 903.3	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 903.4	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 906.11	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 907.2	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 907.2.11	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 907.8.5.1	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 1505.1.3	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 1509.7	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R202	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R313.1	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R313.1.1	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R313.2	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R313.2.1	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R313.4	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f

CRC R313.5	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R327.2	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R331.6	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R331.7	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R331.8	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R902.1.3	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f

# **TOWN OF ROSS**

## **ORDINANCE NO. 650**

**AN URGENCY ORDINANCE OF THE TOWN OF ROSS REPEALING CHAPTERS 15.04, 15.08, 15.12, 15.13, 15.14, 15.15, 15.16, 15.17, 15.18, 15.26, 15.40, AND 15.44 OF TITLE 15 OF THE ROSS MUNICIPAL CODE; AND ENACTING CHAPTERS 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12, 15.13, 15.14, 15.15, 15.16, 15.17, 15.18 TO ADOPT AND AMEND AS NOTED THE 2013 CALIFORNIA ADMINISTRATIVE CODE, THE 2013 CALIFORNIA BUILDING CODE, THE 2013 CALIFORNIA RESIDENTIAL CODE, THE 2013 CALIFORNIA ELECTRICAL CODE, THE 2013 CALIFORNIA MECHANICAL CODE, THE 2013 CALIFORNIA PLUMBING CODE, THE 2013 CALIFORNIA ENERGY CODE, THE 2013 CALIFORNIA HISTORICAL BUILDING CODE, THE 2013 CALIFORNIA EXISTING BUILDING CODE, THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2013 CALIFORNIA REFERENCED STANDARDS CODE, THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, THE 1997 UNIFORM HOUSING CODE, AND CHAPTER 15.18 DILAPIDATED BUILDINGS FROM PRIOR MUNICIPAL CODE; AND AMENDING CHAPTERS 15.24 AND 15.56 OF THE ROSS MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF**

The Ross Town Council does hereby ordain as follows:

### **SECTION 1.**

The following Chapters of the Ross Municipal Code are hereby repealed:

Chapters 15.04 California Building Code, 15.08 Dilapidated Buildings, 15.12 California Plumbing Code, 15.13 California Energy Code, 15.14 California Mechanical Code, 15.15 California Green Building Code, 15.16 California Electrical Code, 15.17 California Residential Code, 15.18 California Fire Code, 15.26 Construction and Demolition Materials Recovery, 15.40 Solar Installations, and 15.44 Earthquake Hazard Reduction in Unreinforced Masonry Buildings.

### **SECTION 2.**

#### **Findings:**

The Town Council of the Town of Ross finds that, in order to best protect the health, safety and welfare of the citizens of the Town of Ross, the building standards within the community must comply with State law, except where local climatic, geological and topographical conditions warrant more restrictive regulations.

Pursuant to Sections 18941.5, 17958, & 13689.7 of the California Health and Safety Code, the governing body of the Town of Ross, in its ordinance adopting the California Building Standards

Code and uniform industry codes, may establish amendments which are more restrictive than those adopted by the State of California commonly referred to as Title 24 of the California Code of Regulations, based on local climatic, geological and topographical conditions.

Local climatic, geological, and topographical conditions:

1. The Council recognizes and finds that due to steep terrain, narrow roads, proximity to the San Andreas and Hayward faults, and the potential flooding of the Corte Madera Creek, unique conditions exist which require special considerations in the construction within the town.
2. The Council expressly finds that climatic, environmental, and geological conditions exist within the Town requiring special provisions for adequate fire suppression.

Conclusion:

3. In recognition of these unique and serious hazards, and the need to prevent the loss of life and property, the Council finds that code modifications set forth in this ordinance, as such changes modify the state regulations contained in the California Building Standards Code, are reasonably necessary for the protection of life and property.

Therefore, the Town Council hereby makes the factual findings set forth in "Exhibit A" attached hereto and incorporated herein by reference, and finds that the amendments made in this ordinance to the 2013 California Building Standards Code are reasonably necessary because of the local climatic, geological or topographical conditions stated in Exhibit A.

### **SECTION 3.**

The Town of Ross hereby adopts Chapter 15.04 to read as follows:

#### Chapter 15.04

#### CALIFORNIA ADMINISTRATIVE CODE

#### Sections:

15.04.010 Adoption of code.

#### **15.04.010 Adoption of code.**

The 2013 California Administrative Code (California Code of Regulations, Title 24, Part 1), published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to



any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

#### **SECTION 4.**

The Town of Ross hereby adopts Chapter 15.05 to read as follows:

#### Chapter 15.05

#### CALIFORNIA BUILDING CODE

##### Sections:

15.05.010	Adoption of code.
15.05.015	Section 1.8.4.2 Fees & Section 109.2 Schedule of permit fees – amended and new Section 109.2.1 - added.
15.05.020	Section 109.4 Work commencing before permit issuance – amended and new Section 109.4.1 - added.
15.05.025	Section 702A Definitions – Hillside Lot Regulations - added
15.05.030	Section 701A.5 Vegetation management compliance - amended
15.05.035	Section 702A Definitions – Wildland Urban Interface Fire Area -amended
15.05.040	Section 902 Definitions – Second Unit – added
15.05.045	Section 902 Definitions – Substantial Remodel - added
15.05.050	Section 903.2 Where Required – amended
15.05.055	Section 903.3 Installation Requirements – amended
15.05.060	Section 903.4 Sprinkler System Supervision and Alarms – exceptions deleted
15.05.065	Section 906.11 Fire Extinguisher Documentation - added
15.05.070	Section 907.2 Where Required – New Building and Construction –amended
15.05.075	Section 907.2.11 Single and Multiple Station Smoke Alarms - exception amended
15.05.080	Section 907.8.1 Smoke Alarm Documentation – added
15.05.085	Section 1505.1.3 Roof Coverings Within All Other Areas – amended
15.05.090	Section 1509.7.5 Requirements - added

##### **15.05.010 Adoption of code.**

The 2013 California Building Code (California Code of Regulations, Title 24, Part 2), with Division II of Chapter 1, and Appendices C, I, and J, as based upon the 2012 International Building Code (IBC) and published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

##### **15.05.015 Section 1.8.4.2 Fees & Section 109.2 Schedule of permit fees – amended and new Section 109.2.1 added.**

Section 1.8.4.2 “Fees” and Section 109.2 “Schedule of permit fees” are amended to read as follows:

1.8.4.2 Fees. The fee for each permit shall be as set forth by the latest resolution of the Town Council.

109.2 Schedule of permit fees. The fee for each permit shall be as set forth by the latest resolution of the Town Council.

Section 109.2.1 "Plan review fees" is added to read as follows:

109.2.1 Plan review fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review shall be 80 percent of the building fee. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate established by resolution of the Town Council.

**15.05.020 Section 109.4 Work commencing before permit issuance – amended and new Section 109.4.1 - added.**

Section 109.4 "Work commencing before permit issuance" amended to read as follows:

109.4 Work commencing before permit issuance. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be as set in subsection 109.4.1. The payment of such investigation fee shall not exempt any person from compliance with other provisions of this code nor any penalty prescribed by law.

Section 109.4.1 "Investigation fee for work commenced prior to obtaining a permit" is added to read as follows:

109.4.1 Investigation fee for work commenced prior to obtaining a permit. Any person who commences any work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefor, shall pay in addition to any other penalty or fine, a special investigation fee equal to 20% of the market value of the project commenced without a permit. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

**15.05.025 Section 202 Definitions – Hillside Lot Regulations**

Section 202 is amended to add the definition of Hillside Lot Regulations to read as follows:

Hillside Lot Regulations. – All areas within the limits of the Town of Ross that are within hillside areas, as defined in the Town of Ross Municipal Code Section 18.39.020. All such areas

shall, in addition to all applicable requirements of Title 15 of the Municipal Code, be subject to all conditions and provisions of Title 18, Chapter 18.39. Hillside Lot Regulations.

**15.05.030 Section 701A.5 Vegetation management compliance - amended.**

Section 701A.5 Vegetation management compliance is amended to add the following:

A vegetation management plan shall be prepared for all new construction and substantial remodels located within a defined Wildland Urban Interface Area. The vegetation management plan shall be in compliance with the provisions of the California Fire Code and Chapter 14.04, Section 4906.4 of the Town of Ross Municipal Code. The Ross Valley Fire District shall be the responsible party for compliance inspection.

**15.05.035 Section 702A Definitions – Wildland Urban Interface Fire Area.**

Section 702A is hereby amended to add the definition of “Wildland Urban Interface Fire Area” as follows:

Wildland Urban Interface Fire Area - is a geographical area located within any Moderate, High, or Very High Fire Severity Zone as recommended by the CFD Director pursuant to Public Resources Code Sections 4201-4204 and Government Code Sections 51175-51189 in a Very High Fire Severity Zone of a local responsibility area (LRA), or as identified in WUI maps adopted by the Town Council.

**15.05.040 Section 902 Definitions – Second Unit.**

Section 902 – Definitions is amended to add the definition of Second Unit to read as follows:

Second Unit – is a completely separate housekeeping unit with kitchen, sleeping, and bathroom facilities which is part of, an extension to, or a separate structure on a sited developed with a single family residence, in excess of the maximum density designated by the zoning district in which the property is situated or as prescribed thereby,

**15.05.045 Section 902 Definitions – Substantial Remodel.**

Section 902 – Definitions is amended to add the definition of Substantial Remodel to read as follows:

Substantial Remodel – shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty (50) percent of the existing floor area of the structure within any 36 month period. When any changes are made in the building, such as walls, columns, beams, girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, plies, or retaining walls or similar components, the floor areas of all rooms affected by such change shall be included in computing floor areas for the purpose of applying this definition. This definition shall not apply to the replacement and upgrading of residential roof coverings as specified in Section 15.05.080

**15.05.050 Section 903.2 Where Required - amended.**

Section 903.2 “Where Required” is hereby amended to read as follows:

903.2 - All Occupancies and Facilities. An automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

Exceptions:

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.

- b. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.

2. In newly created second units.

3. In all buildings which have more than fifty percent (50%) floor area added or any "substantial remodel" as defined in this code, within any 36 month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.

4. In all buildings except R-3 occupancies, in excess of 3,000 sq. ft. which have more than ten per cent (10%) floor area added within any 36 month period. Exceptions may be granted by the Chief when alternate means of protection are installed as approved by the Fire Code Official.

5. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

**15.05.055 Section 903.3 Installation Requirements - amended**

Section 903.3 "Installation Requirements" is amended to add the following:

903.3 - The requirements for fire sprinklers in this code section are not meant to disallow the provisions for area increase, height increase, or Fire-Resistive substitution if otherwise allowed by sections 504 and 506 of the Building Code. All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

- a. In all residential buildings required to be sprinkled any attached garages shall be sprinkled, and except for one and two family dwellings, in all residential occupancies the attics shall be sprinkled.

- b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.

c. All single family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Chief.

d. All public storage facilities shall have installed an approved automatic fire sprinkler system. An approved wire mesh or other approved physical barrier shall be installed 18 inches below the sprinkler head deflector to prevent storage from being placed to within 18 inches from the bottom of the deflector measured at a horizontal plane.

**15.05.060 Section 903.4 Sprinkler System Supervision and Alarms (exceptions) - deleted -**

Section 903.4 "Sprinkler System Supervision and Alarms" is amended to delete exceptions #1, #2, and #3.

**15.05.065 Section 906.11 Fire Extinguisher Documentation - amended -**  
Section 906.11 "Fire Extinguisher Documentation" is added to read as follows:

906.11 - Fire Extinguisher Documentation. The owner and/or operator of every Group R Division 1 and R Division 2 occupancies shall annually provide the Chief written documentation that fire extinguishers are installed and have been serviced as required by Title 19 California Code of Regulations when such extinguishers are installed in residential units in lieu of common areas.

**15.05.070 Section 907.2 Where Required - New Buildings and Construction - amended -**

Section 907.2 New Building and Construction is amended to add the two paragraphs as follows:

**907.2 - New Construction:** Every new building constructed for non-residential occupancies greater than 2000 square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

**Existing Construction:** Every existing building remodeled for non-residential occupancies greater than 2000 square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

**15.05.075 Section 907.2.11 Single and Multiple Station Smoke Alarms –exception amended –**

Section 907.2.11 “Single and Multiple Station Smoke Alarms” is amended to change the first sentence of the Exception to read as follows:

Exception: For Group R occupancies other than single family dwellings.

**15.05.080 Section 907.8.1 Smoke Alarm Documentation - added –**

Section 907.8.1 “Smoke Alarm Documentation” is added to read as follows:

907.8.1 - Smoke Alarm Documentation. The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately.

**15.05.085 Section 1505.1.3 Roof coverings within all other areas – amended.**

Section 1505.1.3 “Roof coverings within all other areas” is amended to read as follows:

1505.1.3 Roof coverings within all areas. The roof covering on any structure regulated by this code shall be a Class A roof assembly as classified in Section 1505.2. An existing structure with an existing wood shake or shingle roof shall replace the entire roof with a Class A roof assembly when increasing the area of the existing roof by a third or more, or when repairing, altering or replacing one third or more of the existing roof area.

**15.05.090 Section 1509.7.5 Requirements – added.**

Section 1509.7.5 Requirements is added to read as follows:

Roof mounted photovoltaic panels/modules shall comply with the requirements of the California Building Code as amended, the California Residential Code as amended, the California Electrical Code, and the California Fire Code as amended.

**SECTION 5.**

The Town of Ross hereby adopts Chapter 15.06 to read as follows:

**Chapter 15.06**

**CALIFORNIA RESIDENTIAL CODE**

**Sections:**

- |           |                                                                         |
|-----------|-------------------------------------------------------------------------|
| 15.06.010 | Adoption of code.                                                       |
| 15.06.015 | Section 1.8.4.2 Fees & Section R108.2 Schedule of Permit Fees - amended |
| 15.06.020 | Section R108.6 Work Commencing Before Permit Issuance – amended         |

15.06.025	Section R202 Definitions – Second Unit – added
15.06.030	Section R202 Definitions – Substantial Remodel - added
15.06.035	Section R327.2 Definitions – Hillside Lot Regulations
15.06.040	Section R327.2 Definitions – Wildland Urban Interface Fire Area – amended
15.06.045	Section R313.1 Townhouse automatic fire sprinkler system – amended
15.06.050	Section R313.1.1 Design and installation – amended
15.06.055	Section R313.2 One and two family dwellings automatic fire sprinkler systems – amended
15.06.060	Section R313.2.1 Design and installation – amended
15.06.065	Section R313.4 Vegetation management plan - added
15.06.070	Section R313.5 Sprinkler system supervision and alarms - added
15.06.075	Section R331.6 Solar photovoltaic disconnect – added
15.06.080	Section R331.7 Warning sign – added
15.06.085	Section R331.8 Required conduit - added
15.06.090	Section R902.1.3 Roof Coverings in All Other Areas

**15.06.010 Adoption of code.**

The 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5), with Division II of Chapter 1 and Appendix H, as based on the 2012 International Residential Code, and published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**15.06.015 Section 1.8.4.2 Fees & Section R108.2 Schedule of permit fees – amended and new Section R108.2.1 added.**

Section 1.8.4.2 “Fees” and Section R108.2 “Schedule of permit fees” are amended to read as follows:

**1.8.4.2 Fees.** The fee for each permit shall be as set forth by the latest resolution of the Town Council.

**R108.2 Schedule of permit fees.** The fee for each permit shall be as set forth by the latest resolution of the Town Council.

**Section R108.2.1 “Plan review fees”** is added to read as follows:

**R108.2.1 Plan review fees.** When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review shall be 80 percent of the building fee. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate established by resolution of the Town Council.

**15.06.020 Section R108.6 Work commencing before permit issuance – amended and new Section R108.6.1 added.**

Section R108.6 “Work commencing before permit issuance” amended to read as follows:

R108.6 Work commencing before permit issuance. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be as set in subsection R108.6.1. The payment of such investigation fee shall not exempt any person from compliance with other provisions of this code nor any penalty prescribed by law.

Section R108.6.1 “Investigation fee for work commenced prior to obtaining a permit” is added to read as follows:

R108.6.1 Investigation fee for work commenced prior to obtaining a permit. Any person who commences any work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefor, shall pay in addition to any other penalty or fine, a special investigation fee equal to 20% of the market value of the project commenced without a permit. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

**15.06.025 Section R202 Definitions – Second Unit.**

Section R202 – Definitions is amended to add the definition of Second Unit to read as follows:

Second Unit – is a completely separate housekeeping unit with kitchen, sleeping, and bathroom facilities which is part of, an extension to, or a separate structure on a sited developed with a single family residence, in excess of the maximum density designated by the zoning district in which the property is situated or as prescribed thereby.

**15.06.030 Section R202 Definitions – Substantial Remodel.**

Section R202 – Definitions is amended to add the definition of Substantial Remodel to read as follows:

Substantial Remodel – shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty (50) percent of the existing floor area of the structure within any 36 month period. When any changes are made in the building, such as walls, columns, beams, girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, plies, or retaining walls or similar components, the floor areas of all rooms affected by such change shall be included in computing floor areas for the purpose of applying this definition. This



definition shall not apply to the replacement and upgrading of residential roof coverings as specified in Section 15.05.080.

**15.06.035 Section R327.2 Definitions – Hillside Lot Regulations**

Section R327.2 is amended to add the definition of “Hillside Lot Regulation” as follows:

Hillside Lot Regulation. – All areas within the limits of the Town of Ross that are within hillside areas, as defined in the Town of Ross Municipal Code Section 18.39.020, shall, in addition to all applicable requirements of Title 15 of the Ross Municipal Code, be subject to all conditions and provisions of Title 18, Chapter 18.39. Hillside Lot Regulations of the Ross Municipal Code.

**15.06.040 Section R327.2 Definitions – Wildland Urban Interface Fire Area**

Section R327.2 is amended to add the definition of “Wildland Urban Interface Area” as follows:

Wildland Urban Interface Fire Area - is a geographical area located within any Moderate, High, or Very High Fire Severity Zone as recommended by the CFD Director pursuant to Public Resources Code Sections 4201-4204 and Government Code Sections 51175-51189, in a Very High Fire Severity Zone of a local responsibility area (LRA) or as identified in WUI maps adopted by the Town Council.

**15.06.045 Section R313.1 Townhouse automatic fire sprinkler system – amended.**

Section R313.1 Townhouse automatic fire sprinkler system is amended to read as follows:

R313.1 – Townhouse automatic fire sprinkler system. An automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

Exceptions:

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.

- b. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.

2. In newly created second units.

3. In all buildings which have more than fifty percent (50%) floor area added or any “substantial remodel” as defined in this code, within any 36 month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.

4. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

**15.06.050 Section R313.1.1 Design and installation – amended.**

Section R313.1.1 Design and installation is amended to read as follows:

R313.1.1 - All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

- a. In all residential buildings required to be sprinkled any attached garages shall be sprinkled, and except for one and two family dwellings, in all residential occupancies the attics shall be sprinkled.
- b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.
- c. All single family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Chief.
- d. If an existing townhouse is equipped with an automatic fire sprinkler system, the automatic fire sprinkler system shall be extended to all areas of additions and alterations to the existing townhouse.

**15.06.055 Section R313.2 One and two family dwellings automatic fire sprinkler systems – amended.**

Section R313.2 One and two family dwelling automatic fire sprinkler systems is amended to read as follows:

R313.2 – One and two family dwelling automatic fire sprinkler system. An automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

**Exceptions:**

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.
- b. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.

2. In newly created second units.

3. In all buildings which have more than fifty percent (50%) floor area added or any "substantial remodel" as defined in this code, within any 36 month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.

4. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

**15.06.060 Section R313.2.1 Design and installation – amended.**

Section R313.2.1 Design and installation is amended to read as follows:

R313.2.1 - All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

a. In all residential buildings required to be sprinkled any attached garages shall be sprinkled, and except for one and two family dwellings, in all residential occupancies the attics shall be sprinkled.

b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.

c. All single family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Chief.

d. If an existing one or two family dwelling is equipped with an automatic fire sprinkler system, the automatic fire sprinkler system shall be extended to all areas of additions and alterations to the existing townhouse.

**15.06.065 Section R313.4 Vegetation management compliance - added.**

Section R313.4 Vegetation management compliance is added to read as follows:

R313.4 A vegetation management plan shall be prepared for all new construction and substantial remodels located within a defined Wildland Urban Interface Area. The vegetation management plan shall be in compliance with the provisions of the California Fire Code and Chapter 14.04, Section 4906.4 of the Town of Ross Municipal Code. The Ross Valley Fire District shall be the responsible party for compliance inspection.

**15.06.070 Section R313.5 Sprinkler system supervision and alarms –added.**

Section R313.5 Sprinkler system supervision and alarms is added to read as follows:

R313.5 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Jockey pump control valves that are sealed or locked in the open position.
2. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
3. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
4. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

**15.06.075 Section R331.6 Solar photovoltaic disconnect – added.**

Section R331.6 Solar Photovoltaic Disconnect is added to read as follows:

R331.6 Solar photovoltaic disconnect. The electrical service disconnect for the alternative power supply shall be located within eight (8) feet from the main electrical service disconnect on the same or an adjacent exterior wall. The disconnect shall be accessible to emergency personnel from the exterior without the use of ladders or other special equipment.

Exception: Enphase or similar technology for solar equipment that de-energizes the system at the roof panels upon loss of A/C reference leaving no energized electrical potential inside the structure when the main breaker is tripped.

**15.06.080 Section R331.7 Warning Sign – added.**

Section R331.7 Warning Sign is added to read as follows:

R331.7. Warning Sign. The following wording shall be placed on a permanent sign attached at the main electrical disconnect. The sign shall be red background with white letters. Minimum size 2-1/2" X 6" with a minimum 22pt. font. Minimum size example below.

## **WARNING:**

**This building supplied with an alternative power source. Alternate disconnect is:  
(*describe location - on the right, below etc.*)  
of this main disconnect. Both must be used.**

### **15.06.085 Section R331.8 Required conduit – added.**

Section R331.8 Required conduit is added to read as follows:

R331.8 Required conduit. All wiring that may contain electrical potential when the alternate service disconnect has been activated, (such as the wiring between the solar arrays and the DC electrical disconnect on a photovoltaic system) shall be completely contained in metal conduit.

### **15.06.90 Section R902.1.3 Roof coverings within all other areas – amended.**

Section R902.1.3 "Roof coverings within all other areas" is amended to read as follows:

R902.1.3 Roof coverings within all areas. The roof covering on any structure regulated by this code shall be a Class A roof assembly as classified in Section 1505.2 of the California Building Code. An existing structure with an existing wood shake or shingle roof shall replace the entire roof with a Class A roof assembly when increasing the area of the existing roof by a third or more, or when repairing, altering or replacing one third or more of the existing roof area.

## **SECTION 6.**

The Town of Ross hereby adopts Chapter 15.07 to read as follows:

### **Chapter 15.07**

### **CALIFORNIA ELECTRICAL CODE**

#### **Sections:**

15.07.010 Adoption of code.

- 15.07.015 Subsection 230.79(C) One-Family Dwelling – amended.  
15.07.020 Paragraph 89.108.4.2 Fees – amended.

**15.07.010 Adoption of code.**

The 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3), with Article 89 and Appendices A, B, C, F, and G, as based upon the 2011 National Electrical Code and published by the National Fire Protection Association, 1 Batterymarch Park (P.O. Box 9146), Quincy, Massachusetts 02269-9959 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**15.07.015 Subsection 230.79(C) One-Family Dwelling – amended.**

Subsection (C) of Section 230.79 “One-Family Dwelling” is amended to read as follows:

(C) One-Family Dwelling. For a one-family dwelling, the service disconnecting means shall have a rating of not less than 100 amperes, 3-wire, under any condition.

**15.07.020 Paragraph 89.108.4.2 Fees – amended.**

Paragraph 89.108.4.2 Fees is hereby amended to read as follows:

89.108.4.2. Fees - Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

89.108.4.2.1. Investigation Fees: Work Without a Permit Any person who commences any electrical work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefor, shall pay in addition to any other penalty or fine, a special investigation fee equal to 20% of the market value of the project commenced without a permit. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

**SECTION 7.**

The Town of Ross hereby adopts Chapter 15.08 to read as follows:

**Chapter 15.08**

**CALIFORNIA MECHANICAL CODE\***

**Sections:**

- 15.08.010 Adoption of code.
- 15.08.015 Section 1.8.4.2 Fees & Sections 114.1 General, 114.2 Permit Fees, & 114.3 Plan Review Fees - amended.
- 15.08.020 Section 114.5.1 Fee – amended.

\* Prior ordinance history: Ords. 290 and 508.

**15.08.010 Adoption of code.**

The 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4), with Division II of Chapter 1 and Appendix “D”, as based upon the 2012 Uniform Mechanical Code and published by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California, 91761-2816 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**15.08.015 Section 1.8.4.2 Fees & Sections 114.1 General, 114.2 Permit Fees & 114.3 Plan Review Fees – amended.**

Sections 1.8.4.2 “Fees,” 114.1 “General,” and 114.2 “Permit Fees” are each hereby amended to read as follows:

1.8.4.2 Fees. Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

114.1 General. Fees shall be assessed in accordance with the provisions of this section and the amount of the fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

114.2 Permit Fees. Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

Section 114.3 “Plan Review Fees” is amended to add the following sentence:

114.3 Plan Review Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

**15.08.020 Section 114.5.1 Fee – amended.**

Section 114.5.1 “Fee” is hereby amended to read as follows:

114.5.1 Special investigation Fee. Any person who commences any mechanical work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefor, shall pay in addition to any other penalty or fine, a special investigation fee equal to 20% of the market value of the project commenced without a

permit. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

## **SECTION 8.**

The Town of Ross hereby adopts Chapter 15.09 to read as follows:

### Chapter 15.09

#### CALIFORNIA PLUMBING CODE

##### Sections:

- 15.09.010 Adoption of code.
- 15.09.015 Section 713.0 Sewer Required – amended.
- 15.09.020 Section 1.8.4.2 Fees & Sections 103.4 Fees & 103.4.1 Plan Review Fees – amended.
- 15.09.025 Section 103.4.3.1 Fees – amended.

##### 15.09.010 Adoption of code.

The 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5), with Division II of Chapter 1 and Appendices A, B, D, and I, as based upon the 2012 Uniform Plumbing Code and published by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California, 91761-2816 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

##### 15.09.015 Section 713.0 Sewer Required – amended.

Section 713.1 "Where Required" is amended as follows:

Section 713.1 Where Required. Every building in which plumbing fixtures are installed and every premises having drainage piping thereon shall comply with all requirements of Chapter 13.04 Sewage Disposal of the Ross Municipal Code.

Section 713.2 is hereby repealed.

Section 713.3 is hereby repealed.

Section 713.4 is hereby repealed.



Section 713.7 is hereby repealed.

**15.09.020 Section 1.8.4.2 Fees & Sections 103.4 Fees & 103.4.1 Plan Review Fees – amended.**

Section 1.8.4.2 “Fees” and Section 103.4 “Fees” are hereby amended to read as follows:

1.8.4.2 Fees. Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

103.4 Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule adopted by the latest resolution of the Town Council.

Section 103.4.1 “Plan Review Fees” is hereby amended to read as follows:

103.4.1 Plan Review Fees. Where a plan or other data is required to be submitted by Section 103.2.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees specified in this subsection are separate from and in addition to the other permit fees specified this section. The plan review fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council. Where plans are incomplete or changed so as to require additional review, a fee may be charged as set forth in the Town’s resolution.

**15.09.025 Section 103.4.3.1 Fees – amended.** Paragraph 103.4.3.1 Fees is hereby amended to read as follows:

103.4.3.1 Any person who commences any plumbing work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefor, shall pay in addition to any other penalty or fine, a special investigation fee equal to 20% of the market value of the project commenced without a permit. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

**SECTION 9.**

The Town of Ross hereby adopts Chapter 15.10 to read as follows:

**Chapter 15.10**

**CALIFORNIA ENERGY CODE**

**Sections:**

15.10.010 Adoption of code.

**15.10.010 Adoption of code.**

The 2013 California Energy Code (California Code of Regulations, Title 24, Part 6), with appendix 1-A, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**SECTION 10.**

The Town of Ross hereby adopts Chapter 15.11 to read as follows:

**Chapter 15.11**

**CALIFORNIA HISTORICAL BUILDING CODE**

**Sections:**

15.11.010 Adoption of code.

**15.11.010 Adoption of code.**

The 2013 California Historical Building Code (California Code of Regulations, Title 24, Part 8), with appendix A, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**SECTION 11.**

The Town of Ross hereby adopts Chapter 15.12 to read as follows:

**Chapter 15.12**

**CALIFORNIA FIRE CODE**

**Sections:**

15.12.010 Adoption of code.

**15.12.010 Adoption of code.**

See Title 14, Section 14.04.010 of the Ross Municipal Code for the adoption of the 2013 California Fire Code along with all local amendments as noted in Chapter 14.04 of the Town of Ross Municipal Code. A copy of this document is maintained in the office of the Building Official.

**SECTION 12.**

The Town of Ross hereby adopts Chapter 15.13 to read as follows:

Chapter 15.13

CALIFORNIA EXISTING BUILDING CODE

Sections:

15.13.010 Adoption of code.

**15.13.010 Adoption of code.**

The 2013 California Existing Building Code (California Code of Regulations, Title 24, Part 10), published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**SECTION 13.**

The Town of Ross hereby adopts Chapter 15.14 to read as follows:

Chapter 15.14

CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

15.14.010 Adoption of code.

15.14.015 Tier Voluntary Measures

**15.14.010 Adoption of code.**

The 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), including appendices A4 and A5, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

**15.14.015 Tier Voluntary Measures.**

All voluntary and Tier requirements and measures of Appendices A4 and A5 are not

adopted as being mandatory but may be included in any level or degree by voluntary choice of the owner or applicant of any permit.

#### **SECTION 14.**

The Town of Ross hereby adopts Chapter 15.15 to read as follows:

##### Chapter 15.15

##### CALIFORNIA REFERENCED STANDARDS CODE

##### Sections:

15.15.010 Adoption of code.

##### 15.15.010 Adoption of code.

The 2013 California Referenced Standards Code (California Code of Regulations, Title 24, Part 12), published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.

#### **SECTION 15.**

The Town of Ross hereby adopts Chapter 15.16 to read as follows:

##### Chapter 15.16

##### 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

##### Sections:

15.16.010 Adoption of code.

15.16.020 Conflicts

##### 15.16.010 Adoption of code.

The 1997 Uniform Code for the Abatement of Dangerous Buildings, published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Department.

##### 15.16.020 Conflicts.

In the event of any conflicts between the 1997 Uniform Code for the Abatement of Dangerous Buildings and the provisions and requirements of the California Building Standards Code, California Code of Regulations, Title 24, Parts 1 through Part 12, as adopted and amended

in Title 15 of the Ross Municipal Code, the provisions of the California Building Standards Code (Cal. Code of Regs., Title 24, Part 1 through Part 12), as amended, shall apply.

## **SECTION 16.**

The Town of Ross hereby adopts Chapter 15.17 to read as follows:

### **Chapter 15.17**

#### **1997 UNIFORM HOUSING CODE**

##### **Sections:**

- 15.17.010      Adoption of code.
- 15.17.020      Conflicts

##### **15.17.010 Adoption of code.**

The 1997 Uniform Housing Code, published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Department.

##### **15.17.020 Conflicts.**

In the event of any conflicts between this Code and the provisions and requirements of the California Building Standards Code, California Code of Regulations, Title 24, Parts 1 through Part 12, as adopted and amended in Title 15 of the Ross Municipal Code, the provisions of the California Building Standards Code (Cal. Code of Regs., Title 24, Part 1 through Part 12), as amended, shall apply.

## **SECTION 17.**

The Town of Ross hereby adopts Chapter 15.18 to read as follows:

### Chapter 15.18

#### DILAPIDATED BUILDINGS\*

##### Sections:

15.18.010	Definition of public nuisances.
15.18.020	Manner of notification.
15.18.030	Nuisance abatement notice form.
15.18.040	Posting of notice.
15.18.050	Filing of affidavit.
15.18.060	Hearing by council.
15.18.070	Failure to appear.
15.18.080	Copy of resolution.
15.18.090	Court action.
15.18.100	Enforcement.
15.18.110	Disposition of material.
15.18.120	Expenses.
15.18.130	Certified copy expenses.
15.18.140	Lien on real property.
15.18.150	Owner defined.

15.18.010 Definition of public nuisances. For the purposes of this chapter a building constituting a menace to public safety, and constituting a public nuisance is defined as follows:

(1) Any building or other structure situated within the town, of wood frame construction, or so constructed as to more than ordinarily endanger the safety of persons therein in case of fire, or so situated as to more than ordinarily endanger buildings or property in the vicinity in case of fire, or so constructed or situated as to render the same peculiarly susceptible to fire, from within or without; or

(2) Any building or other structure in the town which by reason of rot, weakened joints, walls, floors, underpinning, roofs, ceilings, insecure foundations, or other cause, has become so dilapidated or deteriorated from old age or neglect as to be a fire menace or a breeding place for rodents or a likely resort for vagrant or dissolute persons. (Prior code §9500).

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\* For state law empowering towns to provide for the abatement, destruction or removal of unsafe structures, see Gov. C.A. §38660.

For state law pertaining to nuisances and their abatement, see Gov. C.A. §§38771 and 38773.5.

**15.18.020 Manner of notification.** Whenever the building official finds any building or structure so dilapidated as stipulated in Section 15.08.010, he shall give notice directing the owner thereof to appear before the town council at a stated time and show cause why the building or structure should not be condemned as a public nuisance and the nuisance be abated as provided in this chapter. The notice shall be headed "NOTICE TO ABATE NUISANCE" in letters of not less than three-quarters of an inch in height, and shall be substantially in the form provided in Section 15.08.030. (Prior code §9501).

**15.18.030 Nuisance abatement notice form.** The form for the notice to abate a dilapidated building shall be as follows:

**"NOTICE TO ABATE NUISANCE**

The owner of the dilapidated building or structure situated at \_\_\_\_\_, in the Town of Ross, is hereby notified to appear before the Town Council at its meeting to be held \_\_\_\_\_, 20\_\_\_\_ at the Council Chamber in the Town Hall in said Town of Ross at the hour of 8:00 o'clock P.M., or as soon thereafter as he may be heard, and show cause, if any he has, why said building or structure should not be condemned as a public nuisance and said nuisance be abated by reconstructing or properly repairing said building or structure, or by razing or removing the same.

Dated: Ross, California

\_\_\_\_\_, 20\_\_\_\_"  
(Prior code §9502).

**15.18.040 Posting of notice.** The building official shall post conspicuously at least one copy of the notice designated in Section 15.08.030 on the building or structure sought to be so condemned. He shall also send another copy by registered mail (postage prepaid), addressed to the person who is named as the owner on the books of the town assessor, in case the address of such person is known to him. The failure to mail such notice or the failure of any owner to receive the same shall not affect in any manner the validity of any proceedings taken under this chapter, providing the notice has been posted. The notice must be posted as stipulated in this section at least ten days before the time fixed for the hearing before the town council. (Prior code §9503).

**15.18.050 Filing of affidavit.** Upon giving notice as provided in Section 15.08.040, the building official shall file an affidavit with the town clerk certifying to the time and manner in which the same was done. He shall also file therewith any receipt card which may have been mailed back to him in acknowledgment of the receipt of the notice by registered mail, providing he mailed the notice in addition to posting it. (Prior code §9504).

**15.18.060 Hearing by council.** At the time fixed in the notice, the council shall proceed to hear the testimony of the building official and the testimony of the owner and other competent persons, respecting the condition of the building or structure sought to be condemned, and the estimated cost of its reconstruction, repair or removal, after which the

council may condemn it and order its razing or removal, or take such other action in the premises as they may deem advisable. The council may continue the hearing from time to time.

15.18.070 Failure to appear. If the owner fails to appear at the time fixed for the hearing, or the time to which the hearing-may-have been continued, the council shall proceed to hear the testimony of the building official and other competent persons respecting the condition of the building or structure, after which they may pass a resolution declaring the building or structure to be a public nuisance and directing the owner to abate the nuisance within thirty days from the passage of the resolution, by having the building or structure properly reconstructed or repaired, or by having the same razed or removed, and notifying him that if the nuisance is not so abated, the building or structure will be razed or removed by the building official and the expense thereof made a lien on the lot or parcel of land from which it was removed. (Prior code §9506).

15.18.080 Copy of resolution. Upon the passage of the resolution described in Section 15.08.070, the building official shall post a copy thereof conspicuously on the building or structure so condemned and mail another copy to the person named as the owner on the books of the town assessor, if this address is known to him, after which he shall file his affidavit with the town clerk certifying to the time and manner of posting a copy of the resolution, and also as to the mailing of a copy in case a copy was mailed. (Prior code §9507).

15.18.090 Court action. Any owner or other interested person having any objections, or feeling aggrieved at any proceeding taken by the town council in condemning any such building or structure, must bring an action in a court of competent jurisdiction within thirty days after passage of the resolution to contest the validity of the proceedings taken by the council, otherwise all objections will be deemed waived. (Prior code §9508).

15.18.100 Enforcement. Thirty days after posting a copy of the resolution declaring a building or structure a public nuisance as provided in this chapter, the building official shall be deemed to have acquired jurisdiction to abate the nuisance by razing or removing the building or structure so condemned and, unless the nuisance is abated by the owner or his agent in the meantime, the building official shall thereupon raze and remove the condemned building or structure or have the same done under his direction and supervision. (Prior code §9509).

15.18.110 Disposition of material. The lumber and any other materials contained in any building or structure condemned under the provisions of this chapter shall be sold by the building official at public auction, after not less than five days notice thereof posted in three public places in the town, either before or after the building or structure has been razed or removed, and the amount received from the sale of the lumber and materials shall be deducted from the expense of razing or removing the same. (Prior code §9510).

15.18.120 Expenses. The building official shall keep an itemized account of the expenses involved in the razing or removal of any building or structure condemned under the provisions of this chapter, and deduct therefrom the amount received from the lumber and materials. He shall then post conspicuously on the property from which the building or structure was removed a verified statement of the gross and net expense of razing or removing



the building or structure, together with a notice of the time and place when and where the statement shall be submitted to the town council for approval and confirmation. He shall mail another copy of the statement and notice to the person named as the owner on the books of the town assessor, if this address is known to him, after which he shall file his affidavit with the town clerk certifying to the time and manner of posting the statement and notice, and also as to the mailing of a copy in case a copy was mailed. The time for submitting the statement to the council for confirmation shall not be less than five days from the posting of the statement and notice as provided in this chapter. (Prior code §9511).

15.18.130 Certified copy expenses. At the time fixed for hearing on the statement of expense the council shall consider the statement and such objections as may be offered against it, whereupon it shall modify, amend or confirm the same as submitted; provided, it may continue the hearing from time to time. When finally confirmed, the town clerk shall transmit a certified copy to the town assessor and another to the town tax collector. (Prior code §9512).

15.18.140 Lien on real property. Upon final confirmation of an expense statement, the expense of abating *any* such nuisance, less any money received from lumber or other materials, shall constitute a lien on the real property upon which the same was abated or removed, and the amount thereof shall be added to the next succeeding tax bill against the property, and shall be collectible at the same time and in the same manner as general municipal taxes are collected, and shall be subject to the same penalties and procedure in case of delinquency. Provided that *if* the amount received from lumber or other materials shall in any case exceed the expense of razing or removing such building or structure then, and in that event, such excess shall be deposited with the town treasurer to the credit of the owner and be payable to him on demand. (Prior code §9513).

15.18.150 Owner defined. For the purpose of this chapter, the word "owner" means and includes the person or persons owning the fee, or their agents, executors, administrators or guardians. (Prior code §9514).

## **SECTION 18.**

The Town of Ross hereby amends Chapter 15.24 to read as follows:

### Chapter 15.24

#### GRADING, EXCAVATIONS AND FILL \*

##### Sections:

- |           |                                      |
|-----------|--------------------------------------|
| 15.24.010 | Permit required.                     |
| 15.24.020 | Application for a permit.            |
| 15.24.030 | Procedure.                           |
| 15.24.040 | Bond and certificate of insurance.   |
| 15.24.050 | Suspension and revocation of permit. |
| 15.24.060 | Inspections.                         |
| 15.24.070 | Penalty for violation.               |

15.24.010 Permit required. It is unlawful for any person to commence or perform any grading, excavation, or fill within the town without first having secured a permit for such work; provided, however, that no permit shall be required for the following exceptions:

- (1) Excavation for a building foundation, basement of a building, or swimming pool for which a building permit has been issued, provided however that this exemption does not extend to excavations or fill for necessary site preparation;
- (2) Excavations by a public utility for the installation, operation, inspection, repair or replacement of any of its facilities;
- (3) Grading in subdivisions in accordance with plans approved by the town council;  
(Prior code §3703).

15.24.020 Application for a permit. An applicant for a grading permit shall file an application therefor with the town clerk, accompanied by the required fee. Each application shall contain the following:

- (1) Name and address of the applicant, and person or persons responsible for the correctness of the work to be done;
- (2) Description of the property upon which the work is to be done sufficient to readily identify the location;
- (3) Duplicate copies of plans and specification of the proposed work including:
  - A. Contour maps showing the present contours of the land, and the proposed contours of the land after completion of the proposed work;
  - B. Plot plan showing the boundaries, lot lines, neighboring public ways, and the location of all work;

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\* See also Ch. 12.04 of this code.

- C. Description of the type and classification of the soil;
  - D. Details and location of all retaining walls, cribbing, drainage structures, piping, and such further information as may be required by the town engineer;
  - E. Proposed dates for the commencement and completion of the work.
  - F. All plans and specifications shall show compliance with the provisions of the California Building Code Part 2, Volume 2, Chapter 18 and Appendix "J" and all applicable adopted town standards.
- (4) Exception: The town engineer may in his discretion waive the requirements for all or any of the plans and specifications heretofore specified, if he finds that a lesser amount of information will suffice to conform to the provisions and spirit of this chapter. (Prior code §3704).

**15.24.030 Procedure.** (a) The clerk shall refer the application to the town engineer, who shall inspect the site, review the plans and specifications, and make his recommendations. The engineer shall take into consideration all pertinent matters concerning the proposed work which may affect the public health, safety, and general welfare in the neighborhood, and shall exercise reasonable and sound discretion. The engineer may require the applicant to furnish any additional information including, but not limited to, soil tests and any other engineering data at his sole discretion.

(b) The granting of the application shall be recommended unless it appears to the engineer that the proposed work would:

- (1) Remove the lateral or subjacent support of the adjacent land; or
- (2) Result in a dangerous topographic condition; or
- (3) Result in seepage or slides; or
- (4) Divert the flow of drainage water; or
- (5) Cause, aggravate, or increase a nuisance dangerous to public safety; or
- (6) Otherwise in any manner endanger the public health or safety; or
- (7) Be detrimental to the public welfare despite all precautions that the applicant is ready, willing and able to take.

(c) The engineer shall recommend either:

- (1) Granting the permit, with or without modification and upon such condition or conditions as he deems necessary to carry out the intent of this ordinance; or
- (2) Deny the application in whole or in part.

(d) Upon receipt of the engineer's recommendation, the clerk shall act on the application in accordance with that recommendation. Should the application be denied, or should the engineer recommend the application be modified, the clerk shall immediately notify the applicant, stating the reasons why.

(e) In the event that the applicant is not satisfied with the determination of the town engineer, the applicant may appeal to the town council for relief by filing a notice of appeal with the clerk, who shall thereupon set the matter for a hearing by the town council within forty-five days from the date of the filing of the notice. (Prior code §3705).

**15.24.040 Bond and certificate of insurance.** The town may require as a condition of the granting of any permit hereunder, that the applicant deposit with the town a surety bond, in an

amount to be fixed by the town council, insuring to the benefit of the town, guaranteeing that the applicant will faithfully perform all of the conditions and requirements specified in the permit. The surety bond shall be executed by sureties approved by the town as being sufficient in number and financial responsibility. The town may also require as a condition to the granting of a permit that the applicant deposit with the town clerk a certificate of a responsible insurance company showing that the applicant is insured in an amount to be fixed by the town against any loss or damage to persons or property arising directly or indirectly from the operations of the applicant or any person acting in his behalf in carrying on any operation connected directly or indirectly with the making of the fill or excavation, or the removal of the excavated materials for which the permit is issued. (Prior code §3706).

15.24.050 Suspension and revocation of Permit. If, in the opinion of the town engineer, the public health, safety or welfare require it, the town engineer shall immediately suspend any permit granted under this ordinance.

Any permit granted hereunder may be revoked or suspended:

- (1) For any reason for which the permit might have been denied; or
- (2) For failure of permittee to comply with all the terms and conditions of the permit.

Any permittee having a permit so suspended or revoked may appeal the action to the town council by following the procedure set forth in Section 15.24.030. (Prior code §3707).

15.24.060 Inspections. The town engineer shall make such inspections as he may deem necessary in each individual case, taking into consideration the complexity of the work to be performed. The permittee shall pay to the town, in addition to the aforesaid application fee, the actual costs of such inspections, and shall deposit with the town clerk, upon making application for a permit, the engineer's estimate of the costs of inspection. (Prior code §3708).

15.24.070 Penalty for violation. Any violation of any of the provisions of this chapter shall be a misdemeanor and punishable as provided in Section 1.04.010, and where such violation creates a nuisance, the additional remedies provided by Chapter 9.04 of this code, and by the laws of the state, shall likewise be applicable. (Prior code §3709).

## **SECTION 19.**

The Town of Ross hereby amends Chapter 15.56 to read as follows:

### Chapter 15.56

#### DISASTER RECOVERY AND RECONSTRUCTION

##### Sections:

- 15.56.010 Purposes.
- 15.56.020 Involuntarily Damaged or Destroyed Dwelling Units.
- 15.56.030 Submittal Requirements.

- 15.56.040 Landscape Screening.
- 15.56.050 Penalties for Noncompliance.
- 15.56.060 Appeal.

15.56.010 Purposes. The implementation of consistent standards and removal of unreasonable barriers, including design review for aesthetic purposes, to achieve the timely repair and replacement of residences after a disaster is a matter of Town concern. The purposes of this chapter are to authorize in advance of a disaster a process to expedite recovery and reconstruction in order to assist residents in returning to their homes after such an event. It is the Town's intent to encourage the reconstruction of like-kind residences by removing obstacles to their reconstruction. (Ord. 634 (part), 2012).

15.56.020 Involuntarily Damaged or Destroyed Dwelling Units. The town building official may permit the repair, reconstruction, restoration, or rebuilding of any single-family dwelling that is involuntarily damaged or destroyed. No prior Town Council discretionary review or a public hearing that may otherwise be required under Title 18, including variance, design review, hillside lot or other approvals, shall be required, provided that all of the following criteria are met:

(1) The applicant provides documentation, satisfactory to the building official, supporting the claim that the damage or destruction occurred involuntarily.

(2) Except as otherwise provided by this section, the project will comply with all codes and standards adopted by the Town of Ross, including the California Building Standards Code and local amendments, and any more restrictive local building standards in effect at the time of repair or reconstruction, including access, water supply, improvements to the lateral support system, weather proofing and/or sound proofing. In addition, all new structures shall comply with California Building Standards Code Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure) where applicable per the adopted WUI map or other adopted Town Standard. The building official may apply the State Historical Building Code (Part 2.7 (commencing with Section 18950) of Division 13 of the California Health and Safety Code) for work on qualified historical buildings or structures.

(3) The building is reconstructed to the same configuration, floor area, lot coverage, height, appearance and use as the original building or structure, except as otherwise required by this section. The building official may consult with the town planner to make this determination.

(4) The building will conform to the Flood Damage Prevention Chapter 15.36 and National Flood Insurance Program (NFIP) requirements and procedures. With the exception of garage space, any residential building located in a Special Flood Hazard Area shall have a finished floor elevated above the base flood elevation and up to two feet above the base flood elevation. The building official may permit the structure to be modified to meet the

requirements of this subsection. The building official may permit necessary landings and stairs to grade even if the landings and stairs do not comply with zoning regulations such as lot coverage or setbacks.

(5) No portion of the building or structure will encroach into a right of way.

(6) If the structure is a historic building or structure, the repair or reconstruction will comply with the most recent United States Secretary of Interior Standards for the Treatment of Historic Property (36 C.F.R. Part 68).

(7) The application for reconstruction is filed within six months after the event of its damage or destruction, unless the town council grants an extension to the six month time period due to special circumstances justifying the delay in filing an application.

(8) The reconstruction is not detrimental or injurious to the health, safety, or general welfare of persons residing or working in the neighborhood, or will not be detrimental or injurious to property and improvements in the neighborhood.

(9) The application does not involve reconstruction or substantial improvement of structures that are located within 5 feet of a property line or 25 feet of the top bank of a creek.

(10) Complete demolition and reconstruction will only be permitted if the structure has been substantially damaged. For this chapter only, a structure shall be considered substantially damaged when the cost of repair is greater than 50 percent of the replacement cost of the structure. Replacement cost is the cost of replacing the structure in kind, up to all applicable codes. The applicant shall submit a detailed cost estimate for the project prepared by an estimator certified by the American Society of Professional Estimators or other professional satisfactory to the building official. (Ord. 634 (part), 2012).

15.56.030 Submittal Requirements. The town may establish specific forms and submittal requirements to ensure that an applicant provides documentation satisfactory to the building official to establish the configuration, floor area, lot coverage, height, appearance and use of the structure prior to the disaster and to demonstrate that it was lawfully established. The documentation shall include details on the size and style of exterior siding, roofing, trim, windows and colors sufficient for the building official to determine that the proposed structure will be replaced in-kind. Photographs or detailed plans depicting each elevation of a structure filed with the town prior to the disaster shall satisfy the requirement regarding the appearance of the structure. The applicant shall sign a statement under penalty of perjury that the documentation is true and correct. The town may establish written policies regarding acceptable exterior changes, such as replacing single-pane windows with double-pane windows. (Ord. 634 (part), 2012).

15.56.040 Landscape Screening. The building official, in consultation with the town planner, may impose requirements for the installation of new screening landscaping in order to

replace necessary screening landscaping lost by the involuntary disaster or to minimize aesthetic impacts from elevated structures. Any decision by the building official regarding landscape screening may be appealed to the town council pursuant to the procedures set forth in Chapter 18.60. The appeal must be filed prior to project final. (Ord. 634 (part), 2012).

**15.56.050 Penalties for Noncompliance.** The building official may suspend or revoke a permit any time prior to construction completion if, based on substantial evidence, the building official determines that the applicant submitted false, inaccurate or misleading documentation or misrepresented information in the application regarding the configuration, floor area, lot coverage, height, appearance and use of the structure prior to the disaster or if the construction differs from, or in any way exceeds, the work authorized by the building permit. The building official may require the property owner to demolish improvements that do not comply with paragraph 15.56.020(a)(3) above. The property owner may also be subject to fines, penalties and other punishments provided by law. (Ord. 634 (part), 2012).

**15.56.060 Appeal.** Any decision by the building official under this chapter may be appealed by the applicant to the town council pursuant to the procedures set forth in Chapter 18.60. (Ord. 634 (part), 2012).

**SECTION 20.** That nothing in this legislation hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of the law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**SECTION 21. Compliance with the California Environmental Quality Act:** The Town Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 22. Severability:** If any section or provision of this Ordinance or the application thereof to any person or circumstances is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase hereof not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

**SECTION 23. URGENCY FINDINGS:** The Town Council finds and determines that the immediate preservation of the public health, safety and welfare requires that this Ordinance be enacted as an urgency ordinance pursuant to Government Code Section 36937(b) and take effect

immediately upon adoption. Pursuant to state law, the 2013 California Building Standards Code will automatically take effect statewide on January 1, 2014. However, this Ordinance includes several local amendments to the 2013 California Building Standards Code to address the Town's unique local climatic, geological or topographical conditions. The modifications to the 2013 California Building Standards Code constitute vital provisions and regulations affecting construction and fire prevention within the Town, necessitated by the boxed canyons with steep, brush covered slopes, narrow winding streets used by residents and the Fire Department for ingress and egress, the location of buildings and structures in these dangerous areas, the wide temperature ranges, periods of limited precipitation as well as intense rains and flooding, and the Town's proximity to known geological faults. Unless this Ordinance becomes effective immediately, the provisions of said Code unique to the Town's special circumstances will not be in place, thereby creating a risk to the public health, safety and welfare. Therefore, this Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare and its urgency is hereby declared.

**SECTION 24: Effective Date and Posting:** This Ordinance shall go into effect January 1, 2014 and shall remain in effect until Ordinance No. 647 takes effect. Within fifteen (15) days after its adoption, this Ordinance shall be posted in at least three public places in the Town of Ross, along with the names of the members of the Town Council voting for and against its passage. This Ordinance, together with the findings in Exhibit A, shall be immediately filed with the California Building Standards Commission.

**THE FOREGOING URGENCY ORDINANCE** was adopted at a regular meeting of the Town Council of the Town of Ross on the 12th day of December, 2013 by the following vote:

**AYES:** Council Members Kuhl, Hoertkorn, Russell, Small

**NOES:** Council Member Brekhus


**ABSENT:**

**ABSTAIN:**



P. Beach Kuhl, Mayor

**ATTEST:**



Linda Lopez, Town Clerk



## **EXHIBIT A**

### **FINDINGS OF FACT AND NEED FOR CHANGE OR MODIFICATIONS TO THE STATE BUILDING STANDARDS CODE BECAUSE OF LOCAL CONDITIONS**

#### **CHANGES OR MODIFICATIONS**

Pursuant to Section 17958.5, 17958.7 and 18941.5 of the State of California Health and Safety Code, the Town Council of the Town of Ross in its ordinances adopting and amending the 2013 California Building Standards Code (Cal. Code of Regs., Title 24), changes or modifies certain provisions of the 2013 California Administrative Code, the 2013 California Building Code (CBC), the 2013 California Residential Code (CRC), the 2013 California Electrical Code (CEC), the 2013 California Mechanical Code (CMC), the 2013 California Plumbing Code (CPC), the 2013 California Energy Code, the 2013 California Historical Building Code, the 2013 California Existing Building Code, the 2013 California Green Building Standards Code, and the 2013 California Referenced Standards Code. A copy of the text of such changes or modifications is attached.

Pursuant to Sections 17958.5, 17958.7, and 18941.5 of the State of California Health and Safety Code, the Town Council of the Town of Ross has determined and finds that the attached changes or modifications to the 2013 California Building Standards Code are needed and are reasonably necessary because of local climatic, geographic and topographic conditions.

#### **PROFILE OF THE TOWN OF ROSS**

The Town of Ross encompasses an area of 1.6 square miles with a resident population of approximately 2450. The physical location of the Town is in the central part of Marin County, in the central portion of the Ross Valley.

The placement of commercial development has been limited to the valley floor area with the residential communities extending out and up into the steep canyons and hills which surround the valley on both the north and south sides.

Travel into and out of the area is accomplished through two lane roads, which are the main arteries of commuter traffic to the bay area commercial centers.

The Town Council recognizes the fact that Marin County has been plagued many times in the late 1800's and early 1900's by brush and forest fires which not only threaten destruction, but on a number of occasions devastated large portions of communities. The desire of the community to preserve natural vegetation has resulted in the encroachment of brush and grass on fire roads, trails, breaks and streets within the Town, thus rendering such separations ineffective against the spread of fires and safe egress. Natural growth, which is highly flammable during the drier months of the year, encroaches upon many properties, thus posing a potential fire threat to many structures and creating a substantial hindrance to the control of such fires.

With the given profile of the Town of Ross and the subsequent research being conducted by members of the Ross Valley Fire Department staff, the Town has established certain requirements, which were developed to increase the level of safety and reduce the level of exposure to the citizens of the Town as well as protect the buildings (investments) within its boundaries. The following points were established as factors which caused concern and are herein established and submitted as the "Findings of Fact":

## **1. CLIMATIC**

- a. **Precipitation.** The normal year's rainfall is approximately 30 to 50 inches on the average calendar year. The area has been subject to extended periods of drought and less than normal rainfall as well as intense rains, which have caused local flooding and damage from geotechnical failure (landslides). Approximately ninety percent (90%) of the annual rainfall is experienced during the months of November through April, and 10% from May through October.
- b. **Relative Humidity.** Moisture in the air, also known as relative humidity, changes significantly during any given day. Humidity generally ranges from 50% during daytime hours to 85% at night. It drops to 30% during the summer months and occasionally drops lower. During periods when the area experiences easterly hot, dry winds, the relative humidity drops significantly, thus creating a greater danger.
- c. **Temperatures.** Average summer highs are in the 75 degree to 85 degree range. There are weather periods where temperatures can rapidly reach 100 degrees and have been recorded even higher.
- d. **Winds.** Prevailing winds are generally from the West. However, winds are experienced from virtually every direction at one time or another, due to topography. Velocities are generally in the 5 – 15 mph range, gusting to 10 – 30 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.
- e. **Summary.** The climate (weather patterns) within the Town of Ross is predominantly affected by the marine influence of the Pacific Ocean. During the summer months, the southerly exposed slopes and open fields become dry with seasonal grasses, which present a fuel for the rapid spread of fire. The Northerly slopes are heavily wooded and present a moderate to heavy fuel load with respect to fire danger. These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions. Furthermore, winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another and wildland areas. All water storage and supply comes from reservoirs and lakes within the county, and are affected by the climate accordingly.

## 2. GEOGRAPHICAL and TOPOGRAPHICAL

- a. **Geographical Features.** The geographical features in and around the Town of Ross are a source of enjoyment for our residents. The hills and valleys give a natural beauty to the area with forested hills and golden yellow meadows leading up to them. These geographic features form the backdrop for the residential and commercial communities and dictate the locations of roadways and building locations. These geographic features also create barriers, which negatively affect accessibility and influence fire behavior during major conflagrations. Many structures (new and old) are constructed of highly combustible material, which offer little resistance to fire and could contribute to the spread of fire. For practical and cost reasons, new structures are built of wood (type V) construction. The potential for conflagration exists with the density of the various specific areas of the Town. The concentrated commercial, as well as residential occupancies, causes concern when considering the "exposure" elements of building to building to grass and brush areas of the Town.
- b. **Seismic Location.** The Town of Ross lies within the recognized seismic zone #4, which is the most dangerous zone. While the area has experienced several significant seismic events, there has been a minimum of damage. The Town sits between two active earthquake faults (San Andreas and Hayward) and numerous potentially active faults. The potential for great damage exists, and must be considered as a real threat to be planned for.
- c. **Size and Population.** The Town of Ross encompasses an area of 1.6 miles with a resident population of approximately 2450. The Town is served by the Ross Valley Fire Department. Ross Valley Fire has four (4) stations (two of which are in San Anselmo, one in Fairfax, and one in Ross), 33 fire personnel (serving the Towns of Fairfax, San Anselmo, Ross and the Sleepy Hollow Fire Protection District), with diverse responsibilities including wildland, urban, and paramedical.
- d. **Roads and Streets.** Several of the heavily populated areas have limited roadways and escape routes. The Town of Ross has numerous narrow, winding roads, some barely passable with modern fire apparatus, causes access problems and extended travel times especially in the older hillside sections of the jurisdiction. The accessibility for fire department apparatus is of concern due to the lack of turnouts and roadway widths which increases response time.
- e. **Topography.** The Department's service area is a conglomeration of oak plains, hills, valleys and ridges. The flatter lands are found in the center portion of the service area and approximately half of the residential development is in this area. The other half of the service area with residential development consists of hillsides with slopes ranging from approximately 15-30% and 30+%. These hazardous conditions present an exceptional and continuing fire danger to the residents of the community due to the difficulty of the terrain and topography of the area, much of it consisting of boxed canyons with steep, brush covered slopes; narrow winding streets used by residents of the area and the Fire Department for ingress and egress, steep hills which hinder Fire Department

response time; older and inadequate water systems in certain areas of the community; and the location of buildings and structures with relation to these dangerous areas. The water supply for domestic and fire flow systems within this Town are directly affected by the topographical layout of the Town. The supply of water comes from lakes, which are managed by a public utilities district responsible for maintaining an adequate supply. The water distribution system within the Town is very old in some areas served by mains, which are inadequate in size to provide water for fire protection. The valley floor is served by mains which contain an exceptionally large volume of water for fire protection. The Town of Ross has a base elevation of approximately 35 feet and extends to areas in excess of 900 feet above sea level.

f. **Vegetation.** The Town Council recognizes that the Town of Ross has within its borders and along its boundaries, significant areas of grass, brush and heavily forested lands. In addition, the natural vegetation of the area has been altered by the addition of ornamental trees and shrubs, which are not native and add fuel around the houses and buildings of our community. The south facing exposure is primarily annual grasses, highly flammable brush, with occasional clumps of bay and oak trees in the more sheltered pockets. The north facing slopes are heavily wooded from lower elevations to ridge with oak and bay trees and minor shrubs of the general chaparral class. Expansion of the residential community into areas of heavier vegetation has resulted in homes existing in close proximity to dense natural foliage. Often such dwellings are completely surrounded by highly combustible vegetation compounding the fire problem from a conflagration point of view. Of particular recent notice is the increase in dead down fuel and ladder accumulation directly associated with the sudden oak death syndrome.

### **Summary**

The above local geographic and topographic conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Fire Department.

Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

The valley floor has zones recognized by the Federal Emergency Management Agency as flood zones. During times of intense rainfall, flooding and landslides have occurred which have destroyed structures and threatened lives. Within the past decade, these events have caused the local government to declare disasters and seek state and federal assistance.

Some of the existing structures in the commercial areas of the Town lack the required firewall separation. These structures cause concern to the Fire Department because of the potential for major conflagration. As these structures are replaced, the exposure potential will be significantly reduced.

Several other variables may tend to intensify an incident, such as, the extent of damage to the water system; the extent of roadway damage and/or amount of debris blocking the roadways; climatic conditions (hot, dry weather with high winds); time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and the availability of timely mutual aid or military assistance.

### **Conclusion**

Local climatic, geographic and topographic conditions impact fire prevention efforts, and the frequency, spread, acceleration, intensity, and size of fire involving buildings in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore it is found to be reasonably necessary that the California Fire Code, International Wildland-Urban Interface Code, and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

Furthermore, California Health and Safety Code Section 17958.7 requires that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the Town of Ross finds that the following table provides code sections that have been modified pursuant to Town of Ross Ordinance No. 646 which are building standards as defined in Health and Safety Code Section 18909, and the associated referenced conditions for modification due to local climatic, geological and topographical reasons.

<b>Section Number</b>	<b>Local climatic, geological and topographical conditions</b>
CBC 202	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 701A.5	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 702A	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 902	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 903.2	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 903.3	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 903.4	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 906.11	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 907.2	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 907.2.11	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 907.8.5.1	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 1505.1.3	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CBC 1509.7	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R202	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R313.1	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R313.1.1	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R313.2	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R313.2.1	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R313.4	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f

CRC R313.5	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R327.2	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R331.6	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R331.7	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R331.8	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f
CRC R902.1.3	1a, 1b, 1e, 2a, 2b, 2c, 2d, 2e, 2f

# **TOWN OF ROSS**

## **ORDINANCE NO. 651**

**AN URGENCY ORDINANCE OF THE TOWN OF ROSS AMENDING CHAPTER 14.04 OF THE ROSS MUNICIPAL CODE ADOPTING THE 2013 CALIFORNIA FIRE CODE, CERTAIN PORTIONS OF THE 2012 INTERNATIONAL FIRE CODE, AND APPENDIX A OF THE 2012 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS; AND ESTABLISHING A FIRE PREVENTION BUREAU AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES AND DECLARING THE URGENCY THEREOF**

**The Town Council of the Town of Ross does ordain as follows:**

### **SECTION 1. Findings.**

The Town Council finds that in order to best protect the health, safety and welfare of the citizens of the Town of Ross, it is appropriate to adopt the 2013 California Fire Code (which consists of certain portions of the 2012 edition of the International Fire Code, as amended by the State of California), the 2012 edition of the International Fire Code to the extent the same is not inconsistent with the 2013 California Fire Code, and Appendix A of the 2012 edition of the International Wildland-Urban Interface Code, along with certain changes and modifications to these Codes, which the Town Council is authorized to make by California Health and Safety Code Sections 17958.7 and 18941.5, and reasonably necessary due to local climatic, geological or topographical conditions.

Therefore, the Town Council hereby makes the factual findings set forth in "Exhibit A" attached hereto and incorporated herein by reference, and finds that the amendments made in this ordinance to the 2013 California Fire Code are reasonably necessary because of the local climatic, geological or topographical conditions stated in Exhibit A.

The Town Council further finds that adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under California Code of Regulations, Title 14, Section 15061 (b)(3).

### **SECTION 2. Municipal Code Amended:**

Chapter 14.04 of the Town of Ross Municipal Code is hereby deleted in its entirety and replaced by the following:

**"SECTION 14.04.010 ADOPTION OF 2013 CALIFORNIA FIRE CODE, INTERNATIONAL FIRE CODE AND APPENDIX A OF THE 2012 INTERNATIONAL WILDLAND URBAN INTERFACE CODE**

The Town Council of Ross does hereby adopt, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the following, which shall be collectively known as the "Town Fire Code":

1. The 2013 California Fire Code, which consists of certain portions of the 2012 edition of the International Fire Code as amended by the California Building Standards Commission, including:
  - a. Division II of Chapter 1 ADMINISTRATION, except Sections 103.2 and 108,
  - b. Appendix Chapter 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY,
  - c. Appendix B FIRE FLOW REQUIREMENTS FOR BUILDINGS,
  - d. Appendix C FIRE HYDRANT LOCATIONS AND DISTRIBUTION,
  - e. Appendix E HAZARD CATEGORIES,
  - f. Appendix F HAZARD RANKING,
  - g. Appendix G CRYOGENIC FLUIDS WEIGHT AND VOLUME EQUIVALENTS, and
  - h. Appendix H HAZARDOUS MATERIALS MANAGEMENT PLANS AND HAZARDOUS MATERIALS INVENTORY STATEMENTS;
2. The 2012 edition of the International Fire Code published by the International Code Council, Inc. to the extent the same is not inconsistent with the 2013 California Fire Code;
3. Appendix A of the 2012 edition of the International Wildland-Urban Interface Code.

Each and all of the regulations, provisions, penalties, conditions, and terms of said Town Fire Code are hereby referred to, adopted, and made a part hereof as if fully set out in this Ordinance, subject only to the amendments and deletions herein. Not less than one (1) copy of the Codes and Standards hereby adopted is filed in the office of the Fire Marshal of the Ross Valley Fire Department and from the date on which this Ordinance shall take effect, and the provisions thereof shall be controlling within the limits of the Town of Ross.

**SECTION 14.04.020. ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION BUREAU**

The Town Fire Code shall be enforced by the Fire Prevention Bureau of the Ross Valley Fire Department and shall be operated under the supervision of the Fire Chief of the Ross Valley Fire Department.



#### **SECTION 14.04.030. DEFINITIONS**

Wherever they appear in the California and International Fire Codes, unless otherwise provided, the following words shall have the meanings ascribed to them in this section:

- (a) Whenever the words "Fire Code" are used they shall mean the Town Fire Code adopted in Section 14.04.010 of this Ordinance.
- (b) Wherever the word "jurisdiction" is used, it shall be held to mean the Town of Ross.
- (c) Wherever the term "counsel" is used, it shall be held to mean the attorney for the Town of Ross.
- (d) Wherever the words "Fire Code Official" are used, they shall be held to mean the Fire Chief or Fire Marshal of the Ross Valley Fire Department.

#### **SECTION 14.04.040. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II AND CLASS III LIQUIDS IN OUTSIDE ABOVEGROUND TANKS IS PROHIBITED**

The geographic limits referred to in Section 5704.2.9.6.1 of the 2013 California Fire Code in which storage of Class I, Class II and Class III liquids in outside aboveground tanks is prohibited are amended as follows: Town limits. EXCEPTION: Property owned by the Town when approved by the Fire Chief.

#### **SECTION 14.04.041. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II AND CLASS III LIQUIDS IN ABOVEGROUND TANKS IS PROHIBITED**

The geographic limits referred to in Section 5706.2.4.4. of the 2013 California Fire Code in which storage of Class I, Class II and Class III liquids in aboveground tanks is prohibited are amended as follows: Town limits.

#### **SECTION 14.04.050. ESTABLISHMENTS OF GEOGRAPHIC LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED**

The geographic limits referred to in Section 6104.2 of the 2013 California Fire Code, in which storage of liquefied petroleum gas is restricted, are amended as follows: Town limits. EXCEPTION: Property owned by the Town when approved by the Fire Chief.

#### **SECTION 14.04.060. ESTABLISHMENTS OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED**

The geographic limits, in which storage of explosives and blasting agents is prohibited, are as follows: Town limits.

**SECTION 14.04.070. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED**

The geographic limits, in which the storage of compressed natural gas is prohibited, are hereby established as follows: Town limits.

**SECTION 14.04.080. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF STATIONARY TANKS OF FLAMMABLE CRYOGENIC FLUIDS IS TO BE PROHIBITED**

The geographic limits in which the storage of flammable cryogenic fluids in stationary containers are prohibited, are hereby established as follows: Town limits.

**SECTION 14.04.090. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF HAZARDOUS MATERIALS IS TO BE PROHIBITED OR LIMITED**

The geographic limits, in which the storage of hazardous materials is prohibited or limited, are hereby established as follows: Town limits.

**SECTION 14.04.100. AMENDMENTS MADE TO THE 2013 CALIFORNIA FIRE CODE, 2012 INTERNATIONAL FIRE CODE AND 2012 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE**

The 2013 California Fire Code, the adopted portions of the 2012 International Fire Code, as applicable, are amended and changed in the following respects:

Section 102.5 is hereby amended to read as follows:

**102.5 Application of residential code.** Where structures are designed and constructed in accordance with the California Residential Code, the provisions of this code shall apply as follows:

1. Construction and designed provisions: Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Provisions of this code pertaining to the interior of the structure shall apply when specifically required by this code including, but not limited to, Section 903.2. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall also apply.
2. Administrative, operational, and maintenance provisions: all such provisions of this code shall apply.

Section 102.7.3 is hereby added to Chapter 1 as follows:

**Section 102.7.3 Nationally Recognized Listed Products.** Any installation of products and equipment due to permits required by this Code shall be Labeled and Listed, as defined in Section 202.

Section 104.1.1 is hereby added to Chapter 1 as follows:

**Section 104.1.1 Supplemental Rules, Regulations and Standards.** The Fire Code Official is authorized to make and enforce rules and supplemental regulations and to develop Fire Protection Standards to carry out the application and intent of this code.

Section 104.12 is hereby added to Chapter 1 as follows:

**Section 104.12. Damages and expense recovery.** The expense of securing any emergency that is within the responsibility for enforcement of the Fire Chief as given in Section 104 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person and shall be collectible by the Fire Chief for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation, and clean up.

Section 104.13 is hereby added to Chapter 1 as follows:

**Section 104.13. Fire prevention resource sharing.** Other enforcement agencies shall have authority to render necessary assistance in plan review, inspection, code interpretation, enforcement and other fire prevention services when requested to do so.

Section 105.6.47 of Chapter 1 is hereby amended by adding the following additional operational permits:

4. **Aircraft refueling vehicles.** An operational permit is required to operate aircraft refueling vehicles. See Chapter 20.
5. **Automobile wrecking yards.** An operational permit is required to operate an automobile wrecking yard.

6. **Cellulose nitrate storage.** An operational permit is required to store or handle more than 25 pounds of cellulose nitrate plastic (pyroxylin) for the manufacturing or assembly of articles or parts of articles containing cellulose nitrate plastics (pyroxylin).
7. **Fireworks.** An operational permit is required to store and use fireworks for public display.
8. **Fire Protection Plan.** An operational permit is required to implement a fire protection plan.
9. **Radioactive material.** An operational permit is required to store or handle at any installation more than 1 micro curie (37,000 Becquerel) of radioactive material not contained in a sealed sources or more that 1 millicurie (37,000,000 Becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which specific license from the Nuclear Regulatory Commission is required.

Section 105.7.17 is hereby added to Chapter 1 as follows:

Section 105.7.17 **Vegetation Management Plan.** A construction permit is required to implement a vegetation management plan.

Sections 109.4 and 109.4.1 of Chapter 1 are hereby amended to read as follows:

109.4 **Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

109.4.1 **Abatement of violation.** In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

Section 111.4 of Chapter 1 is hereby amended to read as follows:

111.4 **Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$500.00 dollars or more than \$1,500.00 dollars.

Section 202 [C] of Chapter 2 is hereby amended by adding the definition of 'Coverings' as follows:

**Coverings** shall mean materials including, but not limited to, gypsum board, paneling, floor boards, lathe and plaster, wood paneling, brick and mortar, or other materials attached to rough framing of the building elements. 'Coverings' do not include carpet, linoleum, tile, wall paper, or other decorative finishes.

Section 202 [S] of Chapter 2 is hereby amended by adding the definition of 'second unit', 'spark arrestor' and 'substantial remodel' as follows:

**Second Unit** shall mean a completely separate housekeeping unit with kitchen, sleeping and bathroom facilities which is a part of, an extension to, or a separate structure on a site developed with a single-family residence, in excess of the maximum density designated by the zoning district in which the property is situated or as prescribed thereby.

**Spark Arrestor** shall mean a chimney device constructed in a skillful-like manner. The net free area of a spark arrestor shall not be less than four times the net free area of the outlet of the chimney. The spark arrestor screen shall have heat and corrosion resistance equivalent to 12-gauge wire, 19-gauge galvanized wire or 24-gauge stainless steel. Opening shall not permit the passage of spheres having a diameter larger than 1/2 inch and shall not block the passage of spheres having a diameter of less than 3/8 inch.

**Substantial Remodel** shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent of the existing floor area of the structure within any 36 month period. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for the purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.

Section 202 [T] of Chapter 2 is hereby amended by adding the definition of 'Temporary':

**Temporary** shall mean any use for a period of less than 90 days.

Section 302.1 is amended by adding the definition of 'Public Storage Facility' as follows:

**Public Storage Facility** shall mean any business that sells, leases or rents space to the public that is enclosed, whether it is a building, storage container or similar configuration.

Section 319 is hereby added to Chapter 3 as follows:

**Section 319 Public Storage Facilities**

**Section 319.1 General.** Public Storage Facilities shall comply with the provisions of this section.

**Section 319.2. Location on Property and Fire Resistance of Exterior.** All public storage facilities shall meet the minimum requirements for setback from property lines or fire resistive construction as set forth in Table 602 of the Building Code for Group S, Division 1 occupancies.

**Section 319.3. Fire apparatus access.** All public storage facilities shall have fire apparatus access roads provided in accordance with Section 503.

**Section 319.4. Storage of Flammable and Combustible Liquids and Hazardous Materials.** The storage of hazardous materials or flammable or combustible liquids in public storage facilities is prohibited. Such facilities shall post legible and durable sign(s) to indicate same in a manner and location(s) as specified by the Fire Code Official. This section shall apply to new and existing public storage facilities.

Exception: Only those quantities of flammable and combustible liquids necessary for maintenance of the facility may be stored by the facility management per Chapter 57 of this code.

Sections 320 is hereby added to Chapter 3 as follows:

**Section 320 Fireworks**

**Section 320.1 General.** The manufacture, storage, sale, possession, handling or use of all fireworks is prohibited except as permitted by the Fire Code Official for approved public display.

**Section 320.2 Seizure.** The Fire Chief or Fire Code Official or their authorized agents shall seize, remove or cause to be removed at the expense of the owner or person(s) in possession all stocks of fireworks offered or exposed for sale, stored or held in violation of this code.

Section 401.1.1 is hereby added to Chapter 4 as follows:

**Section 401.1.1 Hazardous Occupancies.** In occupancies of a hazardous nature, where access for fire apparatus is unduly difficult, or where special life and fire safety hazards exist as determined by standards of the Ross Valley Fire Department, that facility or business management shall be required to develop and implement an Emergency Response Plan, provide for an onsite Emergency Response Team, Emergency Liaison

Officer, staff training and fire drills in accordance with Sections 405 and 406 and standards developed by the Ross Valley Fire Department.

Section 402.1 of Chapter 4 is hereby amended by adding the definition of 'Pre-plans' as follows:

**Pre-plans** shall mean detailed plans of target hazard buildings. These pre-plans include information on the building's location, occupancy, hazards, fire department connections and hydrants, building layout, and other pertinent data that would assist the fire department in case of an emergency.

Section 408.1.1 is hereby added to Chapter 4 as follows:

**Section 408.1.1 Pre-plans:** When required by the fire code official, pre-plans shall be developed for target hazard buildings according to the written standards developed by the authority having jurisdiction.

Section 408.8.4 is hereby added to Chapter 4 as follows:

**Section 408.8.4 Emergency Preparedness for Hotels, Lodging and Congregate Houses.** Hotels, lodging and congregate houses shall provide guests with immediate access to a telephone to report emergencies. The exit diagram shall indicate the location of the nearest telephone and instructions to dial 911.

Section 501.4 of Chapter 5 is hereby amended by adding the following sentence:

Failure to comply with this section upon written or verbal notice from the Chief shall result in a Ross Valley Fire Department order to cease operations and desist further operations until such time as adequate access and/or water for fire protection is provided.

Section 502.1 of Chapter 5 is hereby amended by adding a definition of 'Fire Road' as follows:

**Fire Road** shall mean those improved or unimproved roads, public or private, that provide access for firefighting equipment and personnel to undeveloped areas.

Section 503.1.4 is hereby added to Chapter 5 as follows:

**Section 503.1.4 Fire Roads.** Fire Roads shall be provided for firefighting equipment, apparatus and personnel to undeveloped areas of the Town of Ross so as to gain access to improved, unimproved, and undeveloped areas of the Town of Ross, in a manner approved by the Fire Code Official. Any vehicle or other obstructions may be towed away at the owner's expense.

Section 503.1.5 is hereby added to Chapter 5 as follows:

Section 503.1.5 **Truck company access.** For buildings 3 or more stories or greater than 30 feet (10670mm) in height, approved access roads for ladder truck operations shall be provided within the necessary operational distances as specified by the Fire Code Official.

Section 503.2.1 is amended by adding an exception to read as follows:

**EXCEPTION:** Driveways serving as fire apparatus access roads serving fewer than 5 structures may reduce the width to 12 feet with 1 foot shoulders.

Section 503.2.6.1 is hereby added to Chapter 5 as follows:

Section 503.2.6.1 **Load testing.** Bridges, Piers and Wharfs used for fire apparatus access shall be load tested to the original designed capacity when required by the Chief.

Section 503.4 of Chapter 5 is amended by adding the following sentence:

Any vehicle or other obstruction may be towed away at the owner's expense.

Section 503.4.2 is hereby added to Chapter 5 as follows:

503.4.2 **Prohibition of Vehicular Parking on Private Access ways.** If, in the judgment of the Chief, it is necessary to prohibit vehicular parking along private access ways serving existing facilities, buildings, or portions of buildings in order to keep them clear and unobstructed for fire apparatus access, the Chief may issue an Order to the owner, lessee or other person in charge of the premises to paint the curbs red or install signs or other appropriate notices to the effect that parking is prohibited by Order of the Fire Department. It shall thereafter be unlawful for such owner, lessee or other person in charge of the premises to fail to install or maintain in good condition, the form of notice so prescribed. When such areas are marked or signed as provided herein, no person shall park a vehicle adjacent to any such curb or in the private access way contrary to such markings or signs. Any vehicle so parked in the private access way may be towed away at the expense of the owner of the vehicle.

Section 503.6.1 is hereby added to Chapter 5 as follows:

503.6.1 **Width.** All gates shall open fully to provide an unobstructed passage width of not less than 16 feet or a minimum of two feet wider than the approved net clear opening of the required all weather roadway or driveway and a minimum net vertical clearance of 13 feet 6 inches.

Section 503.6.2 is hereby added to Chapter 5 as follows:



**Section 503.6.2 Electronic gates.** All electronic operated gates shall have installed an approved key switch override system mounted on a stanchion or wall as approved by the Chief in accordance with Standards adopted by the Chief. All electronic or motorized gates shall incorporate in their design that means for fast, effective manual operation of the gates in the event of power or mechanical failure (i.e., easily removable hinge pins for separating power linkage from gates; undercut, weakened or frangible members requiring 40 pounds or less pressure against the gates to cause their failure and the gates to open). All electrical wiring and components of motorized gates shall be UL listed and installed in accordance with the National Electric Code.

Section 506.1 of Chapter 5 is hereby amended as follows:

**Section 506.1 Key Entry Systems.** When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes or in commercial structures that have an automatic fire sprinkler or fire alarm system installed, the Fire Code Official is authorized to require a key entry system to be installed in an approved location. The key entry system shall be of an approved type listed in accordance with UL1037, and if it is a box, shall contain keys necessary to gain access as required by the Fire Code Official.

Section 507.5.1 is hereby amended as follows and by deleting the Exception:

**Section 507.5.1 Where Required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 350 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Code Official.

Section 507.5.1.2 is hereby added to Chapter 5 as follows:

**Section 507.5.1.2 Hydrant for sprinkler systems.** Buildings equipped with sprinkler systems installed in accordance with Section 903 shall have a fire hydrant within 100 feet (30 m) of the fire department connections.

Exception: the distance shall be permitted to exceed 100 feet (30 m) where approved by the Fire Code Official.

Section 507.5.7 is hereby added to Chapter 5 as follows:

**Section 507.5.7 Fire hydrant upgrades.** When additions or modifications to structures are made, the nearest fire hydrant (if a new one is not required) located by the Chief, shall be upgraded to the minimum standard of one 4 1/2" outlet and one 2 1/2" outlet for single family dwellings and the minimum standard of one 4 1/2" outlet and two 2 1/2" outlets for commercial structures.

Exceptions:

1. If the cost of upgrading the fire hydrant exceeds 2% of the cost of the project based on the building permit valuation.
2. One and two family dwellings equipped throughout with an approved automatic sprinkler system.

Section 605.11.2.1 is hereby added to Chapter 6 as follows:

**605.11.2.1 Required conduit.** All wiring that may contain electrical potential when the alternate service disconnect has been activated, (such as the wiring between the solar arrays and the DC electrical disconnect on a photovoltaic system) shall be completely contained in metal conduit.

Section 605.11.5 is hereby added to Chapter 6 and shall read as follows:

**605.11.5. Disconnect.** The electrical service disconnect for the alternative power supply shall be located within eight feet from the electrical service disconnect on the same or an adjacent exterior wall. The disconnect shall be accessible to emergency personnel from the exterior without the use of ladders or other special equipment.

Exception: Enphase or similar technology for solar equipment that de-energizes the system at the roof panels upon loss of A/C reference leaving no energized electrical potential inside the structure when the main breaker is tripped.

Section 605.11.5.1 is hereby added to Chapter 6 and shall read as follows:

**605.11.5.1 Warning Sign.** The following wording shall be placed on a permanent sign attached at the main electrical disconnect. The sign shall be red background with white letters. Minimum size 2-1/2" X 6" with a minimum 22pt. font. Minimum size example below.

**WARNING:**

**This building supplied with an alternative power source.  
Alternate disconnect is:  
(*describe location - on the right, below etc.*) of this main  
disconnect. Both must be used.**

Section 605.11.6 is hereby added to Chapter 6 and shall read as follows:

**Section 605.11.6 Alternative Power Supplies.** The use of an electrical power supply (including but not limited to; photovoltaic, wind, geothermal or fuel fired generators), other than the community's commercial source, shall comply with section 605.11.1 through 605.11.3 to the extent applicable.

Section 901.7 of Chapter 9 is hereby amended by adding the following sentence:

This section shall also apply to residential fire sprinkler systems.

Section 903.2 of Chapter 9 is hereby amended as follows:

**Section 903.2 Where Required.** All Occupancies and Facilities. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Additionally, an automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

Exceptions:

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.
  - b. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.
2. In newly created second units.
  3. In all buildings which have more than fifty percent (50%) floor area added or any "substantial remodel" as defined in this code, within any 36 month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.
  4. In all buildings except R-3 occupancies, in excess of 3,000 sq. ft. which have more than ten per cent (10%) floor area added within any 36 month period. Exceptions may be granted by the Chief when alternate means of protection are installed as approved by the Fire Code Official.

5. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

Section 903.3 of Chapter 9 is hereby amended by adding the following language:

The requirements for fire sprinklers in this code section are not meant to disallow the provisions for area increase, height increase, or Fire-Resistive substitution if otherwise allowed by sections 504 and 506 of the Building Code. All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

- a. In all residential buildings required to be sprinkled any attached garages shall be sprinkled, and except for one and two family dwellings, in all residential occupancies the attics shall be sprinkled.
- b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.
- c. All single family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Chief.
- d. All public storage facilities shall have installed an approved automatic fire sprinkler system. An approved wire mesh or other approved physical barrier shall be installed 18 inches below the sprinkler head deflector to prevent storage from being placed to within 18 inches from the bottom of the deflector measured at a horizontal plane.

Section 903.4 is hereby amended by deleting the following:

Exception #1, 2, 3.

Section 906.11 is hereby added to Chapter 9 as follows:

**Section 906.11 Fire Extinguisher Documentation.** The owner and/or operator of every Group R Division 1 and R Division 2 occupancy shall annually provide the Chief written documentation that fire extinguishers are installed and have been serviced as required by Title 19 California Code of Regulations when such extinguishers are installed in residential units in lieu of common areas.

Section 907.2 of Chapter 9 is amended to add the following paragraphs:

**New Construction:** Every new building constructed for non-residential occupancies greater than 2000 square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

**Existing Construction:** Every existing building remodeled for non-residential occupancies greater than 2000 square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

Section 907.2.11 is hereby amended by changing the first sentence of the exception to read as follows:

**EXCEPTION:** For group R occupancies other than single family dwellings.

Section 907.8.5.1 is hereby added as follows:

Section 907.8.5.1 **Smoke Alarm Documentation.** The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately.

Section 4906.2 paragraph 2 of Chapter 49 is amended as follows:

2. Land designated as a Wildland-Urban Interface Area by the local enforcing agency to be at a significant risk from wildfires and lands designated as Very-High Fire Hazard Severity Zones by cities and other local agencies.

Section 4906.4 of Chapter 49 is hereby added to read as follows:

#### **SECTION 4906.4 Vegetation Management Plan**

Section 4906.4. General. All new construction and substantial remodels shall prepare a vegetation management plan (VMP). Not less than two (2) complete plan sets shall be submitted to the Code Official for review.

Section 4906.4.1 Content. The VMP shall include at the minimum:

1. A narrative describing specific and applicable contributing factors in the selection and design of the plan.

2. The Hazard Assessment Matrix.

3. The list of plants to be used and materials consistent with the approved plant list.

4. Two (2) sets of blue prints showing the house, zone, plant type and spacing.

Section 4906.4.2 Cost. The cost of vegetation management plan preparation and review shall be the responsibility of the applicant.

Section 4907.1 of Chapter 49 is amended as follows:

**Section 4907.1 General.** Defensible space will be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code 4290 and "SRA Fire Safe Regulations" California Code of Regulations, Title 14 Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Wildland-Urban Interface Area as designated by the local enforcing agency to be at a significant risk from wildfires and Very-High Fire Hazard Severity Zones of a local responsibility area (LRA) shall maintain defensible space as outlined in Government Code 51175-51189, and any local ordinance or standard published by the Fire Code Official.

Section 4907.2 is hereby added to Chapter 49 as follows:

**Section 4907.2 Fire Hazard Reduction.** Any person who owns, leases, controls or maintains any building or structure within specific Wildland Urban Interface areas of the jurisdiction of the Town of Ross and persons owning, leasing or controlling land adjacent to such buildings or structures shall comply with the following: cut and remove all pyrophytic combustible vegetation within 30 feet of structures, up to 150 feet when topographic or combustible vegetative types necessitate removal as determined by the Fire Code Official. Remove piles of accumulated dead vegetation on the property. Cut and remove tree limbs that overhang wood decks and roofs. Remove that portion of any tree which extends within 10 feet of any chimney or stovepipe. Clean any leaves and needles from roof and gutters. Cut and remove growth less than 3-inches in diameter, from the ground up to a maximum height of 10 feet, provided that no crown shall be raised to a point so as to remove branches from more than the lower one-third of the tree's total height.

**EXCEPTION 1:** When approved by the fire code official, single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

**EXCEPTION 2:** When approved by the fire code official, grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize soil, and prevent erosion.

Section 4907.3 is hereby added to Chapter 49 as follows:

**Section 4907.3 Fire Hazard Reduction From Roadways.** The Fire Chief is authorized to cause areas within 10 feet (3048 mm) on each side of portions of public streets and highways and private streets which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Chief is authorized to enter upon private property to do so in accordance with Section 14.04.120 of the Ross Municipal Code.

**EXCEPTION:** Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

Section 4907.4 is hereby added to Chapter 49 as follows:

**Section 4907.4 Nuisance.** Failure to comply with the requirements of Section 4907.2 shall be deemed a public nuisance. The Fire Chief is hereby authorized to require the abatement of any nuisance condition described in Section 4907.2 or Section 4907.3. Abatement shall be accomplished in accordance with Section 14.04.120 of the Ross Municipal Code.

Section A104.7.2 of Appendix A of the International Wildland-Urban Interface Code is amended as follows:

**Section A104.7.2 Permits.** The fire code official is authorized to stipulate reasonable conditions for permits as necessary to reduce the threat of wildfire in a wildland-urban interface area and improve the capability of controlling such fires. Permits shall not be issued when public safety would be at risk, as determined by the fire code official.

Section A104.11 is hereby added to Appendix A of the International Wildland-Urban Interface Code as follows:

**Section A104.11 – TRACER BULLETS, TRACER CHARGES, ROCKETS AND MODEL AIRCRAFT.** Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across hazardous fire areas. Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause a fire shall not be fired or projected into or across hazardous fire areas.

Section A104.12 is hereby added to Appendix A of the International Wildland-Urban Interface Code as follows:

Section A104.12 **EXPLOSIVES AND BLASTING.** Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within hazardous fire areas except by permit from the fire code official.

Section A104.13 is hereby added to Appendix A of the International Wildland-Urban Interface Code as follows:

Section 104.13 **APIARIES.** Lighted or smoldering material shall not be used in connection with smoking bees in or upon hazardous fire areas except by permit from the fire code official.

#### **SECTION 14.04.110. AUTHORITY TO ARREST AND ISSUE CITATIONS**

(a) The Fire Chief, Chief Officers, Fire Marshal, and Fire Inspectors shall have authority to arrest or to cite any person who violates any provision of this Chapter involving the Fire Code or the California Building Standards Code regulations relating to fire and panic safety as adopted by the State Fire Marshal, in the manner provided for the arrest or release on citation and notice to appear with respect to misdemeanors or infractions, as prescribed by Chapters 5, 5c and 5d of Title 3, Part 2 of the California Penal Code, including Section 853.6, or as the same hereafter may be amended.

(b) It is the intent of the Town Council of the Town of Ross that the immunities provided in Penal Code Section 836.5 be applicable to aforementioned officers and employees exercising their arrest or citation authority within the course and scope of their employment pursuant to this Chapter.

#### **SECTION 14.04.120. NUISANCE ABATEMENT.**

(a) Any violations of the Town Fire Code shall be deemed a public nuisance.

(b) The owner of any property within the Town has the primary responsibility for keeping the property free of public nuisances. Tenants and occupants, for the purposes of this Chapter, shall be deemed to be the agents of the owner.

(c) All entries and inspections shall be done in a lawful and reasonable manner. If an owner, lawful occupant, or the respective agent thereof refuses permission to enter and/or inspect, the Fire Chief of the Ross Valley Fire Department or the duly authorized enforcement officer (collectively hereinafter, "Fire Chief") may seek an administrative inspection warrant pursuant to the procedures provided by California Code of Civil Procedure Section 1822.50 through 1822.59, as may be amended from time to time, or the successor provisions thereto.



(d) Whenever the Fire Chief believes a public nuisance exists, the Fire Chief shall commence abatement proceedings.

(e) The Fire Chief shall cause a written notice to be issued to abate such nuisance. Notice requiring the abatement of such nuisance shall be given by mail to the owner of the property upon which, or in front of which, such nuisance exists, at such owner's address as shown on the last equalized Assessment Roll of the County of Marin. Such notice shall contain the following:

1. The street address and Assessor's Parcel Number for the affected property.
2. The date of the inspection of the property by the Fire Department during which such nuisance was discovered.
3. A description of the nuisance and its location on, or in front of, the property.
4. The abatement action which the owner is required to take and a time limit for such abatement.
5. A statement that if the owner fails to abate such nuisance within the prescribed time and the Fire Department, or other Town agent, will abate the nuisance.
6. A statement that if the Fire Department, or other Town agent, is required to abate the nuisance the cost of such abatement will be assessed as a lien or special assessment against the property.
7. A statement that the determination of the existence of a nuisance may be appealed to the Fire Chief within the time limit to abate the nuisance.

(f) Abatement. Should the owner of the affected property (i) fail to abate the nuisance, and (ii) fail to appeal the determination of the existence of a nuisance to the Fire Chief within the period set forth in the notice requiring abatement, the Fire Chief is authorized to perform such abatement and shall keep an accurate account of the cost of such abatement, including administrative costs.

(g) The Fire Chief shall mail written notice of the costs of the abatement to the owner of the affected property who may, within fifteen days of the date of such mailing, request a hearing by the Fire Chief with respect to such cost. The Fire Chief shall hold a hearing within thirty (30) days of receiving the request. The Fire Chief may make any corrections or modifications if it deems the proposed costs to be excessive or incorrect. The decision of the Fire Chief shall be final.

(h) Assessment of Cost. The cost of such abatement as finally fixed and determined by the Fire Chief may be recovered in an appropriate civil action, including costs of litigation and attorneys fees, or may be enforced by a nuisance abatement lien or special assessment

against the parcel of land as more particularly set forth in Government Code Sections 38773.1 and 38773.5, respectively. At least thirty (30) days prior to recordation of the nuisance abatement lien, or submission of the report to the Tax Collector for collection of this special assessment, the Fire Chief shall give notice to the record owner of the property of the intent to collect abatement and related administrative costs against the property. In addition to any information required by state law, the notice shall include a summary of costs associated with enforcement of this Ordinance and abatement of the nuisance.

(i) **Emergency Abatement.** Notwithstanding any other provisions of this Chapter, whenever the Fire Chief determines that any real property or any building, structure or condition thereon is dangerous or constitutes an immediate threat to public health or safety, the Fire Chief shall, without being required to comply with the procedures of this Section, immediately cause such public nuisance to be abated, provided all other legal constitutional requirements are complied with.

(j) **Remedies are Cumulative.** Nothing in this Chapter shall be deemed to prevent the Town from commencing a civil or criminal proceeding to abate a public nuisance or from pursuing any other means available to it under provisions of applicable ordinances or state law to correct hazards, deficiencies or violations of law in real property in addition to or as alternatives to the proceedings set forth in this Chapter.

#### **SECTION 14.04.130 PENALTIES**

(a) Any violation of the Town Fire Code as adopted herein may be a misdemeanor or infraction, and subject to the penalties set forth herein.

(1) The first citation, within a 12-month period, for a violation of the Town Fire Code shall be treated as an infraction, punishable by a fine of \$100.

(2) Any subsequent citation within a twelve (12) month period for any violation of the Town Fire Code may be either a misdemeanor or an infraction, as determined by the discretion of the Fire Chief. Misdemeanors shall be subject to the penalties set forth in Section 109 or 111 as applicable. Infractions shall be punishable by the fines specified in California Government Code Section 36900.

(b) An Administrative Citation and fine may also be imposed in accordance with Chapter 9.70. The use of Administrative Citation and fine as means for addressing violations of this code shall be in addition to criminal, civil or other legal or equitable remedies established by law that may be pursued to address violations of this code and may be used at the sole discretion of the Town. The amounts of the Administrative Citation fines are contained in Section 9.70.120 of the Ross Municipal Code.

(c) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations

or defects within a reasonable time. Unless otherwise specified, each day that a violation occurs or continues after a final notice has been delivered, shall constitute a separate offense. The application of both criminal and administrative penalties shall not be held to prevent enforcement or the correction of prohibited conditions.

(d) Nothing contained in Subsections (a) and (b) of this Section shall be construed or interpreted to prevent the Ross Valley Fire Department from recovering all costs associated with a Ross Valley Fire Department emergency response as described in Section 104.12 of the 2013 California Fire Code, as amended.

#### **SECTION 14.04.140. APPEALS**

(a) Any person receiving an Administrative Citation may contest the Citation in accordance with Section 9.70.070.

(b) Any person receiving a bill for Ross Valley Fire Department response costs and expenses pursuant to Section 104.12 of the Fire Code, may file within thirty (30) days after the date of mailing the bill, an administrative appeal against imposition of the response costs and expenses. The appeal shall be in writing and filed with the Fire Chief, and shall include a copy of the bill and statement of the grounds for appeal. The Fire Chief shall conduct an administrative hearing on the appeal, after giving the appellant at least ten (10) days' advance written notice of the time and place of the hearing. Within ten (10) days after the hearing the Chief shall give written notice of the decision to the appellant, which decision shall be final. If the appeal is denied in part or full, all amounts due shall be paid within thirty (30) days after the mailing of the notice of the decision of the hearing officer.

(c) Whenever the Fire Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the Town Council within 10 days from the date of the decision. The Town Council shall conduct an administrative hearing on appeal, after giving the appellant at least ten (10) days' advance written notice of the time and place of the hearing. Within ten (10) days after the hearing, the Town Council shall give written notice of the decision to the appellant, which decision shall be final. The provision of this section shall not apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in various sections of this Code, or to matters for which an appeal is provided pursuant to Section 14.04.130 (a) or (b) above.

#### **SECTION 14.04.150. FEE AND PENALTY ADJUSTMENTS**

The Town Council may, by resolution, revise the fees and penalties established by this Title 14.04."

### **SECTION 3. Validity**

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the Town Council which addresses the same subject addressed herein.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Town Council of the Town of Ross hereby declares that it would have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases shall be declared invalid.

### **SECTION 4. Urgency Findings.**

The Town Council finds and determines that the immediate preservation of the public health, safety and welfare requires that this Ordinance be enacted as an urgency ordinance pursuant to Government Code Section 36937(b) and take effect immediately upon adoption. Pursuant to state law, the 2013 California Building Standards Code will automatically take effect statewide on January 1, 2014. However, this Ordinance includes several local amendments to the 2013 California Building Standards Code to address the Town's unique local climatic, geological or topographical conditions. The modifications to the 2013 California Building Standards Code constitute vital provisions and regulations affecting construction and fire prevention within the Town, necessitated by the boxed canyons with steep, brush covered slopes, narrow winding streets used by residents and the Fire Department for ingress and egress, the location of buildings and structures in these dangerous areas, the wide temperature ranges, periods of limited precipitation as well as intense rains, and its proximity to known geological faults. Unless this Ordinance becomes effective immediately, the provisions of said Code unique to the Town's special circumstances will not be in place, thereby creating a risk to the public health, safety and welfare. Therefore, this Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare and its urgency is hereby declared.

### **SECTION 5. Ordinance posting and effective date**

This Ordinance shall go into effect January 1, 2014 and shall remain in effect until Ordinance No. 646 takes effect. Within fifteen (15) days after its adoption, this Ordinance shall be posted in at least three public places in the Town of Ross, along with the names of the members of the Town Council voting for and against its passage. This Ordinance, together with the findings in Exhibit A, shall be immediately filed with the California Building Standards Commission.

**THE FOREGOING URGENCY ORDINANCE** was adopted at a regular meeting of the Town Council of the Town of Ross on the 12th day of December, 2013 by the following vote:

**AYES:** Council Members Kuhl, Hoertkorn, Russell, Small

**NOES:** Council Member Brekhus

**ABSENT:**

**ABSTAIN:**

A handwritten signature in dark ink, appearing to read "P. Beach Kuhl", written over a horizontal line.

P. Beach Kuhl, Mayor

**ATTEST:**

A handwritten signature in dark ink, appearing to read "Linda Lopez", written over a horizontal line.

Linda Lopez, Town Clerk

## **EXHIBIT A**

### **FINDINGS OF FACT AND NEED FOR CHANGE OR MODIFICATIONS TO THE STATE BUILDING STANDARDS CODE BECAUSE OF LOCAL CONDITIONS**

#### **CHANGES OR MODIFICATIONS**

Pursuant to Section 17958.5, 17958.7 and 18941.5 of the State of California Health and Safety Code, the Town Council of the Town of Ross in its ordinances adopting and amending the 2013 California Fire Code, certain portions of the 2012 edition of the International Fire Code, and Appendix A of the 2012 edition of the International Wildland-Urban Interface Code, changes or modifies certain provisions of the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9). A copy of the text of such changes or modifications is attached.

Pursuant to Sections 17958.5, 17958.7, and 18941.5 of the State of California Health and Safety Code, the Town Council of the Town of Ross has determined and finds that the attached changes or modifications to the 2013 California Fire Code are needed and are reasonably necessary because of local climatic, geographic and topographic conditions.

#### **PROFILE OF THE TOWN OF ROSS**

The Town of Ross encompasses an area of 1.6 square miles with a resident population of approximately 2450. The physical location of the Town is in the central part of Marin County, in the central portion of the Ross Valley.

The placement of commercial development has been limited to the valley floor area with the residential communities extending out and up into the steep canyons and hills which surround the valley on both the north and south sides.

Travel into and out of the area is accomplished through two lane roads, which are the main arteries of commuter traffic to the bay area commercial centers.

The Town Council recognizes the fact that Marin County has been plagued many times in the late 1800's and early 1900's by brush and forest fires which not only threaten destruction, but on a number of occasions devastated large portions of communities. The desire of the community to preserve natural vegetation has resulted in the encroachment of brush and grass on fire roads, trails, breaks and streets within the Town, thus rendering such separations ineffective against the spread of fires and safe egress. Natural growth, which is highly flammable during the drier months of the year, encroaches upon many properties, thus posing a potential fire threat to many structures and creating a substantial hindrance to the control of such fires.

With the given profile of the Town of Ross and the subsequent research being conducted by members of the Ross Valley Fire Department staff, the Town has established certain requirements, which were developed to increase the level of safety and reduce the level of exposure to the citizens

of the Town as well as protect the buildings (investments) within its boundaries. The following points were established as factors which caused concern and are herein established and submitted as the "Findings of Fact":

## **1. CLIMATIC**

a. **Precipitation.** The normal year's rainfall is approximately 30 to 50 inches on the average calendar year. The area has been subject to extended periods of drought and less than normal rainfall as well as intense rains, which have caused local flooding and damage from geotechnical failure (landslides). Approximately ninety percent (90%) of the annual rainfall is experienced during the months of November through April, and 10% from May through October.

b. **Relative Humidity.** Moisture in the air, also known as relative humidity, changes significantly during any given day. Humidity generally ranges from 50% during daytime hours to 85% at night. It drops to 30% during the summer months and occasionally drops lower. During periods when the area experiences easterly hot, dry winds, the relative humidity drops significantly, thus creating a greater danger.

c. **Temperatures.** Average summer highs are in the 75 degree to 85 degree range. There are weather periods where temperatures can rapidly reach 100 degrees and have been recorded even higher.

d. **Winds.** Prevailing winds are generally from the West. However, winds are experienced from virtually every direction at one time or another, due to topography. Velocities are generally in the 5 – 15 mph range, gusting to 10 – 30 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.

e. **Summary.** The climate (weather patterns) within the Town of Ross is predominantly affected by the marine influence of the Pacific Ocean. During the summer months, the southerly exposed slopes and open fields become dry with seasonal grasses, which present a fuel for the rapid spread of fire. The Northerly slopes are heavily wooded and present a moderate to heavy fuel load with respect to fire danger. These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions. Furthermore, winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another and wildland areas. All water storage and supply comes from reservoirs and lakes within the county, and are affected by the climate accordingly.

## **2. GEOGRAPHICAL and TOPOGRAPHICAL**

- a. **Geographical Features.** The geographical features in and around the Town of Ross are a source of enjoyment for our residents. The hills and valleys give a natural beauty to the area with forested hills and golden yellow meadows leading up to them. These geographic features form the backdrop for the residential and commercial communities and dictate the locations of roadways and building locations. These geographic features also create barriers, which negatively affect accessibility and influence fire behavior during major conflagrations. Many structures (new and old) are constructed of highly combustible material, which offer little resistance to fire and could contribute to the spread of fire. For practical and cost reasons, new structures are built of wood (type V) construction. The potential for conflagration exists with the density of the various specific areas of the Town. The concentrated commercial, as well as residential occupancies, causes concern when considering the "exposure" elements of building to building to grass and brush areas of the Town.
- b. **Seismic Location.** The Town of Ross lies within the recognized seismic zone #4, which is the most dangerous zone. While the area has experienced several significant seismic events, there has been a minimum of damage. The Town sits between two active earthquake faults (San Andreas and Hayward) and numerous potentially active faults. The potential for great damage exists, and must be considered as a real threat to be planned for.
- c. **Size and Population.** The Town of Ross encompasses an area of 1.6 miles with a resident population of approximately 2450. The Town is served by the Ross Valley Fire Department. Ross Valley Fire has four (4) stations (two of which are in San Anselmo, one in Fairfax, and one in Ross), 33 fire personnel (serving the Towns of Fairfax, San Anselmo, Ross and the Sleepy Hollow Fire Protection District), with diverse responsibilities including wildland, urban, and paramedical.
- d. **Roads and Streets.** Several of the heavily populated areas have limited roadways and escape routes. The Town of Ross has numerous narrow, winding roads, some barely passable with modern fire apparatus, causes access problems and extended travel times especially in the older hillside sections of the jurisdiction. The accessibility for fire department apparatus is of concern due to the lack of turnouts and roadway widths which increases response time.
- e. **Topography.** The Department's service area is a conglomeration of oak plains, hills, valleys and ridges. The flatter lands are found in the center portion of the service area and approximately half of the residential development is in this area. The other half of the service area with residential development consists of hillsides with slopes ranging from approximately 15-30% and 30+%. These hazardous conditions present an exceptional and continuing fire danger to the residents of the community due to the difficulty of the terrain and topography of the area, much of it consisting of boxed canyons with steep, brush covered slopes; narrow winding streets used by residents of the area and the Fire Department for ingress and egress, steep hills which hinder Fire Department response time; older and inadequate water systems in certain areas of the community; and the location of buildings and structures with relation to these dangerous areas. The water supply for



domestic and fire flow systems within this Town are directly affected by the topographical layout of the Town. The supply of water comes from lakes, which are managed by a public utilities district responsible for maintaining an adequate supply. The water distribution system within the Town is very old in some areas served by mains, which are inadequate in size to provide water for fire protection. The valley floor is served by mains which contain an exceptionally large volume of water for fire protection. The Town of Ross has a base elevation of approximately 35 feet and extends to areas in excess of 900 feet above sea level.

**f. Vegetation.** The Town Council recognizes that the Town of Ross has within its borders and along its boundaries, significant areas of grass, brush and heavily forested lands. In addition, the natural vegetation of the area has been altered by the addition of ornamental trees and shrubs, which are not native and add fuel around the houses and buildings of our community. The south facing exposure is primarily annual grasses, highly flammable brush, with occasional clumps of bay and oak trees in the more sheltered pockets. The north facing slopes are heavily wooded from lower elevations to ridge with oak and bay trees and minor shrubs of the general chaparral class. Expansion of the residential community into areas of heavier vegetation has resulted in homes existing in close proximity to dense natural foliage. Often such dwellings are completely surrounded by highly combustible vegetation compounding the fire problem from a conflagration point of view. Of particular recent notice is the increase in dead down fuel and ladder accumulation directly associated with the sudden oak death syndrome.

### **Summary**

The above local geographic and topographic conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Fire Department.

Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

The valley floor has zones recognized by the Federal Emergency Management Agency as flood zones. During times of intense rainfall, flooding and landslides have occurred which have destroyed structures and threatened lives. Within the past decade, these events have caused the local government to declare disasters and seek state and federal assistance.

Some of the existing structures in the commercial areas of the Town lack the required firewall separation. These structures cause concern to the Fire Department because of the potential for major conflagration. As these structures are replaced, the exposure potential will be significantly reduced.

Several other variables may tend to intensify an incident, such as, the extent of damage to the water system; the extent of roadway damage and/or amount of debris blocking the roadways; climatic

conditions (hot, dry weather with high winds); time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and the availability of timely mutual aid or military assistance.

### **Conclusion**

Local climatic, geographic and topographic conditions impact fire prevention efforts, and the frequency, spread, acceleration, intensity, and size of fire involving buildings in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore it is found to be reasonably necessary that the California Fire Code, International Wildland-Urban Interface Code, and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

Furthermore, California Health and Safety Code Sections 17958.7 requires that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the Town of Ross finds that the following table provides code sections that have been modified pursuant to Town of Ross Ordinance No. 646 which are building standards as defined in Health and Safety Code Section 18909, and the associated referenced conditions for modification due to local climatic, geological and topographical reasons.

<b>Section Number</b>	<b>Local climatic, geological and topographical conditions</b>
102.5	1a, 1b, 1e, 2a, 2b, 2d, 2e
104.12	2c, 2g
104.13	2c, 2d, 2g
105.6.47	1e, 2a, 2b, 2d, 2e, 2f
202 (c)	1e, 2a, 2b, 2d, 2e, 2f
202 (s)	1e, 2a, 2b, 2d, 2e, 2f
202 (t)	1e, 2a, 2b, 2d, 2e, 2f
302.1	2b, 2d, 2e, 2g
319.1	2b, 2d, 2e, 2g
319.2	2b, 2d, 2e, 2g
319.3	2b, 2d, 2e, 2g
319.4	2b, 2d, 2e, 2g
320.1	1a, 1b, 1c, 1e, 2a, 2d, 2e, 2f
320.2	1a, 1b, 1c, 1e, 2a, 2d, 2e, 2f
401.1.1	2b, 2c, 2d, 2g
402.1	2b, 2c, 2d, 2g
408.1.1	2b, 2c, 2d, 2g
408.8.4	2b, 2c, 2d, 2g
501.4	1a, 1b, 1c, 2d, 2e, 2f
502.1	1a, 1b, 1c, 2d, 2e, 2f
503.1.4	1a, 1b, 1c, 2d, 2e, 2f

503.1.5	2a, 2d, 2e, 2g
503.2.1	2a, 2d, 2e, 2g
503.2.6.1	2a, 2b, 2c, 2d, 2e, 2f
503.4	2a, 2d
503.4.2	2a, 2d
503.6.1	2a, 2d,
503.6.2	2a, 2d
506.1	2a, 2d, 2e, 2g
507.5.1	1e, 2a, 2b, 2c, 2d, 2e, 2f, 2g
507.5.1.2	2a, 2d, 2e, 2g
507.5.7	2a, 2c, 2f
605.11.2.1	2a, 2b, 2d, 2e, 2f
605.11.5	2a, 2b, 2d, 2e, 2f
605.11.5.1	2a, 2b, 2d, 2e, 2f
605.11.6	2a, 2b, 2d, 2e, 2f
901.7	1a, 1b, 1e, 2a, 2b, 2d, 2e
903.2	1a, 1b, 1e, 2a, 2b, 2d, 2e
903.3	1a, 1b, 1e, 2a, 2b, 2d, 2e
903.4	1a, 1b, 1e, 2a, 2b, 2d, 2e
906.11	1e, 2g
907.2	2c, 2d, 2g
907.2.11	1e, 2g
907.8.5.1	1e, 2g
4906.2	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4906.4	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4906.4.1	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4907.1	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4907.2	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4907.3	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
4907.4	1a, 1b, 1c, 1d, 1e, 2a, 2c, 2d, 2e, 2f, 2g
A104.11	1a, 1b, 1c, 1e, 2a, 2d, 2e, 2f
A104.12	1a, 1b, 1c, 1e, 2a, 2d, 2e, 2f
A104.13	1a, 1b, 1c, 1e, 2a, 2d, 2e, 2f